



Legislative Summary of Bills Enacted During 2023 Legislative Session

CAMPAIGNS & LOBBYING

SB160/HB183 **Political action committees.**

Sponsors: Sen. Briggs, Richard , Rep. Whitson, Sam

Summary: Broadens the term "political action committee" to include "political campaign committees" and "multicandidate political campaign committees," which include clubs, corporations, associations or others groups that receive contributions and make expenditures, which, in the aggregate exceed \$2000, to support of oppose two or more candidates in a calendar year. Outlines expenditure reporting requirements for political action committees and updates candidate obligations regarding contributions and reporting. Provides that all sworn complaints on a report of a candidate for state public office, a political action committee contributing to such a candidate, or a political action committee registered with the registry of election finance must be filed in that office. Directs that office to conduct a preliminary review to determine if further action is warranted. Outlines requirements of a district attorney investigating sworn complaints. Changes from July 1 to January 15 the date by which the registry must provide an annual report to the govern and the general assembly. Broadly captioned.

Amendment Summary: House amendment 1 (004425) incorporates the change made by Senate Amendment 1 and revises the provision of this bill prohibiting transfers of funds or assets from a candidate's campaign account or a political action committee controlled by a candidate for a federal election to a candidate's campaign account or a political campaign committee controlled by the candidate for the candidate in an election for a state or local public office in this state, such that only such transfers from a candidate's campaign account or a political action committee of or for such candidate, instead of controlled by a candidate, are prohibited.

Senate Status: 03/20/23 - Senate concurred in House amendment 1 (004425).

House Status: 03/13/23 - House passed with amendment 1 (004425).

*Executive Status:*04/11/23 - Enacted as Public Chapter 0108 effective April 4, 2023.

SB346/HB933 **Notice to high school seniors about eligibility to vote.**

Sponsors: Sen. Campbell, Heidi , Rep. McKenzie, Sam

Summary: Requires each high school to inform each high school senior that upon reaching the age of 18 the student may be eligible to vote and to provide information from the secretary of state about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Broadly captioned.

Amendment Summary: House amendment 1 (007296) requires every high school in Tennessee to inform all high school seniors, upon reaching the age of 18, that they may be eligible to vote and provide them with information about voter eligibility and how to register to vote, including the date and time of the supplemental voter registration conducted at the student's high school. Prohibits any punitive measure from being taken against the person tasked by the high school to provide the information.

Senate Status: 04/20/23 - Senate concurred in House amendment 1 (007296).

House Status: 04/19/23 - House passed with amendment 1 (007296).

*Executive Status:*05/22/23 - Enacted as Public Chapter 0444 effective May 17, 2023.

CORRECTIONS

SB496/HB385 **Criminal sentence reductions credits.**

Sponsors: Sen. Stevens, John , Rep. Lamberth, William

Summary: Removes provision allowing a jailer or superintendent to object to awarding a convicted felon sentence reduction credits. Requires the superintendent or jailer to notify the department of corrections of the amount of sentence reduction credits for good institutional behavior that a convicted felon should receive for jail time served prior to imposition of sentence. Clarifies that a convicted felon does not have the right to sentence reduction credits or a right to appeal the superintendent's or jailer's recommendation.

Amendment Summary: Senate amendment 1 (003719) makes the provisions of this bill that are applicable to a "jailer" applicable to a "jail administrator" instead.

Senate Status: 04/06/23 - Senate passed with amendment 1 (003719).

House Status: 04/20/23 - House passed.

Executive Status: 05/17/23 - Enacted as Public Chapter 0427 effective July 1, 2023.

SB806/HB1476 Report on grants to fun reentry programs.

Sponsors: Sen. Jackson, Ed , Rep. Hulsey, Bud

Summary: Changes from December 31 to December 1, the date by which the department of correction shall report to the speaker of the senate and the speaker of the house of representatives the grants awarded to local county sheriffs or probation departments in the previous fiscal year to fund reentry programs that reduce recidivism and probation revocations and the results of the measurable outcomes agreed upon by the department and the recipients. Broadly captioned.

Amendment Summary: Senate amendment 1 (006291) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. House amendment 1 (007364) requires the criteria established by the Department of Correction (DOC) for awarding credits for good institutional behavior to inmates to include a requirement that the inmate completes a DOC-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. Requires the DOC to administer the risk and needs assessment to an inmate, regardless of where the inmate is housed, unless the local jail is required to administrate the assessment.

Senate Status: 04/21/23 - Senate concurred in House amendment 1 (007364).

House Status: 04/20/23 - House passed with amendment 1 (007364).

Executive Status: 05/22/23 - Enacted as Public Chapter 0458 effective July 1, 2023.

CRIMINAL LAW

SB14/HB24 Sexual assault evidence collection kit analysis requirements.

Sponsors: Sen. Lamar, London , Rep. Freeman, Bob

Summary: Requires the TBI to perform a serology or DNA analysis on a sexual assault evidence collection kit within 30 days of its receipt of a kit from a law enforcement agency. Requires that kits not analyzed within this time frame be flagged in the electronic tracking system and stipulates that a written explanation for the delay be provided to the submitting law enforcement agency. Clarifies that delays in analysis does not affect a kit's admissibility in court or as a reason for challenging the validity of any analysis. States that the new requirement would take effect on July 1, 2023, and would apply to kits received on or after that date. Defines relevant terms.

Amendment Summary: Senate amendment 2 (004918) changes the effective date of this bill to upon becoming a law, and removes the provisions relative to sexual assault evidence collection kits, including the provision requiring the TBI to perform serology or DNA analysis on the kit within 30 days of the bureau's receipt of the kit from a law enforcement agency, and rewrites this bill to, instead, require the bureau to do the following: (1) Until January 1, 2025, provide quarterly updates on the bureau's efforts to hire and train employees within the forensic services division and the average amount of time taken to perform forensic analysis on evidence in cases involving sexual offenses to the judiciary committee of the senate and the criminal justice committee of the house of representatives; and (2) By January 1, 2025, submit a report to the judiciary and finance, ways and means committees of the senate and the criminal justice and finance, ways, and means committees of the house of representatives detailing any additional resources and personnel that would be required in order to perform forensic analysis on evidence in cases involving sexual offenses within 60 days of the bureau's receipt of the evidence from a law enforcement agency.

Senate Status: 03/20/23 - Senate passed with amendment 2 (004918).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0249 effective April 28, 2023.

SB18/HB5 Sentencing for especially aggravated kidnapping, aggravated rape, or rape.

Sponsors: Sen. Taylor, Brent , Rep. Gillespie, John

Summary: Requires a person sentenced for especially aggravated kidnapping, aggravated rape, or rape to be sentenced at a minimum of Range II for the offense and up to Range III. Expands the requirement to register as a sexual offender to all defendants convicted of kidnapping instead of only defendants convicted of kidnapping minors.

Amendment House amendment 1 (003917) requires the sentence for a person convicted of especially aggravated kidnapping, aggravated rape, or rape be no less than a sentence imposed for a Range II offender.
Summary: rape, or rape be no less than a sentence imposed for a Range II offender.
Senate Status: 04/06/23 - Senate passed.
House Status: 03/13/23 - House passed with amendment 1 (003917).
Executive Status: 04/25/23 - Enacted as Public Chapter 0155 effective July 1, 2023.

SB19/HB1359 Expunction of records - charges abated by death.

Sponsors: Sen. Massey, Becky , Rep. Farmer, Andrew
Summary: Authorizes a personal representative of the decedent to file a petition for the expunction of public records of a person who has been charged with a felony or misdemeanor if the charge has been abated by death.
Senate Status: 03/16/23 - Senate passed.
House Status: 04/19/23 - House passed.
Executive Status: 05/10/23 - Enacted as Public Chapter 0330 effective May 5, 2023.

SB172/HB159 Possession of pocketknives on school property by nonstudents while voting.

Sponsors: Sen. Hensley, Joey , Rep. Capley, Kip
Summary: Permits a nonstudent adult to possess, without being subject to criminal penalties, a pocketknife while the adult is on school property for the sole purpose of voting in an election. Requires that the pocketknife is concealed on the adult's person and is not handled by the adult, or by any other person acting with the expressed or implied consent of the adult. Maintains Class E felony penalty for violation. Defines pocketknife.
Senate Status: 03/16/23 - Senate passed.
House Status: 03/23/23 - House passed.
Executive Status: 04/17/23 - Enacted as Public Chapter 0142 effective July 1, 2023.

SB183/HB398 Abuse of animals by juveniles - mental health evaluation and treatment required.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary
Summary: Requires mental health evaluation and treatment for juveniles who commit aggravated animal cruelty when the child is adjudicated delinquent for conduct involving the intentional torturing, mutilating, maiming, burning, starving to death, crushing, disfiguring, drowning, suffocating, or impaling of a domesticated dog or cat.
Senate Status: 03/20/23 - Senate passed.
House Status: 04/20/23 - House passed.
Executive Status: 05/10/23 - Enacted as Public Chapter 0334 effective July 1, 2023.

SB193/HB702 Increased penalties for fentanyl derivative drugs.

Sponsors: Sen. Lundberg, Jon , Rep. Doggett, Clay
Summary: Increases the penalty to a Class B felony with a fine of up to \$100,000 for drug offenses involving 0.5 grams or more of fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue.
Amendment House amendment 2 (004701) removes references to fentanyl derivatives and analogues and names this act the "One Pill Will Kill Act."
Summary: Kill Act."
Senate Status: 04/21/23 - Senate passed.
House Status: 04/20/23 - House passed with amendment 2 (004701).
Executive Status: 05/15/23 - Enacted as Public Chapter 0386 effective July 1, 2023.

SB213/HB248 Mandatory minimum sentence for domestic assault involving strangulation.

Sponsors: Sen. Johnson, Jack , Rep. McCalmon, Jake
Summary: Requires a defendant convicted of domestic assault involving strangulation to serve a mandatory minimum sentence of 30 days incarceration. Specifies that a defendant who commits aggravated assault in which the victim of the offense loses consciousness due to strangulation may be prosecuted for attempted second degree murder. Broadly captioned.
Amendment Senate amendment 1 (005821) makes the following changes to this bill: (1) Adds a requirement that the sentence for a person convicted of domestic assault involving strangulation or attempted strangulation include participation in programming that is evidence-based for domestic violence; (2) Adds that an aggravated assault involving strangulation or attempted strangulation, in which the victim of the offense lost consciousness due to strangulation, may be prosecuted as attempted second-degree murder or attempted first-degree murder; (3) Under present law, aggravated assault that involves strangulation or attempted strangulation is a Class C felony. This amendment enhances such offense to a Class B felony, if the victim is pregnant at the time of the offense; and (4) Prohibits the release of a person charged with aggravated assault or assault against a first responder or nurse, involving strangulation, on the person's own recognizance or upon execution of an unsecured bond. This amendment requires a magistrate to require a person charged with such offense to post bail.
Summary: convicted of domestic assault involving strangulation or attempted strangulation include participation in programming that is evidence-based for domestic violence; (2) Adds that an aggravated assault involving strangulation or attempted strangulation, in which the victim of the offense lost consciousness due to strangulation, may be prosecuted as attempted second-degree murder or attempted first-degree murder; (3) Under present law, aggravated assault that involves strangulation or attempted strangulation is a Class C felony. This amendment enhances such offense to a Class B felony, if the victim is pregnant at the time of the offense; and (4) Prohibits the release of a person charged with aggravated assault or assault against a first responder or nurse, involving strangulation, on the person's own recognizance or upon execution of an unsecured bond. This amendment requires a magistrate to require a person charged with such offense to post bail.
Senate Status: 04/03/23 - Senate passed with amendment 1 (005821).
House Status: 04/21/23 - House passed.

*Executive Status:*05/22/23 - Enacted as Public Chapter 0440 effective July 1, 2023.

SB284/HB612 Determination of intellectual disability of those sentenced to death.

Sponsors: Sen. Gardenhire, Todd , Rep. Hawk, David

Summary: Establishes the procedure for the administrative office of the courts to issue payment to an expert who makes a court-ordered determination of intellectual disability in a person who has been sentenced to death prior to May 11, 2021.

Senate Status: 02/23/23 - Senate passed.

House Status: 04/17/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0255 effective April 28, 2023.

SB328/HB144 Second offense DUI - participation in substance abuse program.

Sponsors: Sen. Haile, Ferrell , Rep. Lamberth, William

Summary: Changes from 25 to 17 the number of days of incarceration a person convicted of a second offense of driving under the influence of an intoxicant must serve before the person can participate in a substance abuse treatment program. Requires a person charged with or convicted of a third or subsequent offense of driving under the influence of an intoxicant involving the use of alcohol to wear a transdermal alcohol monitoring device for a 90-day period of continuous sobriety.

Amendment Summary: Senate amendment 1 (003437) corrects the typo "tamper events" in Section 2 to "tampering events". Senate amendment 2 (004232) revises present law provisions governing penalties for violations of the offense of DUI, by adding that a person convicted for a third or subsequent DUI is required to pay all costs associated with an ignition interlock device, transdermal monitoring device, global positioning monitoring system, or any other monitoring device and is not eligible for electronic monitoring indigency fund assistance, regardless of whether the person is indigent.

Senate Status: 03/16/23 - Senate passed with amendment 1 (003437) and amendment 2 (004232).

House Status: 03/16/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0116 effective July 1, 2023.

SB331/HB253 Establishes misdemeanor offense of parentage fraud.

Sponsors: Sen. Lundberg, Jon , Rep. Parkinson, Antonio

Summary: Establishes the Class A misdemeanor of parentage fraud when a person fraudulently claims that the victim is the biological parent of a child or fraudulently seeks to be legally established as a child's parent based on the person's status as a biological parent of the child.

Amendment Summary: Senate amendment 1 (005171) clarifies that parentage fraud occurs when the individual that a person seeks to legally establish as the biological parent of a child in the person's custody with intent to deprive the individual of property and the person knows or reasonably should know that the individual is not the child's biological parent is "another individual". This amendment also reduces the classification of parentage fraud from a Class A misdemeanor to a Class B misdemeanor.

Senate Status: 03/20/23 - Senate passed with amendment 1 (005171).

House Status: 04/06/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0189 effective July 1, 2023.

SB360/HB1307 Voucher program to offset costs of person taking a first time handgun safety course.

Sponsors: Sen. Massey, Becky , Rep. Kumar, Sabi

Summary: Authorizes the department of safety to create a voucher program for the purpose of offsetting the cost of persons taking a handgun safety course for the first time. Requires the department to report the number of courses taken using vouchers to the senate judiciary committee and house criminal justice committee. Broadly captioned.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*05/22/23 - Enacted as Public Chapter 0445 effective January 1, 2024.

SB419/HB557 Admissibility of child forensic interviews.

Sponsors: Sen. Haile, Ferrell , Rep. Littleton, Mary

Summary: Increases the age for the admissibility of statements made during a forensic interview from age 13 to age 17. Expands admissible forensic interviews from statements made by a child describing sexual contact performed with or on the child by another to statements describing sexual, abusive, or violent contact performed with or on the child by another or performed by a person with or on another and witnessed by the child. Retains current requirements for forensic interviewer qualification but adds provision allowing a person to conduct forensic interviews who has been supervised by an experienced forensic interviewer for a minimum of 20 forensic interviews.

Amendment House amendment 1 (004700) makes the following changes to this bill: (1) Revises what the child's statement may be describing to, instead, provide that the statement made by a child under 18 may be describing an act of sexual or physically violent contact, removing abusive contact, performed with or on the child by a person, or performed by a person with or on another and witnessed by the child; (2) Removes juvenile court proceedings from the forensic interview's scope of admissibility, and adds that the evidence may be considered at any stage of a criminal proceeding of the person for any offense arising from the sexual or physically violent contact if the requirements of this amendment are met; (3) Removes the provision that states a video recording admitted pursuant to this section is discoverable in proceedings governed by the Tennessee Rules of Criminal Procedure; and (4) Adds a new section to this bill that revises present law provisions governing basic rights at a hearing in juvenile court by adding the following: (A) A video recording of a child by a forensic interviewer, as described in this amendment, is admissible and may be considered for its bearing on any matter to which it is relevant in evidence at any stage of proceedings in an action under laws governing juveniles, if the requirements of this (4) are met; (B) Except for delinquency and unruly conduct proceedings, a video recording may generally be admissible if the following conditions are met: (i) The video recording is shown to the reasonable satisfaction of the court to possess particularized guarantees of trustworthiness, as determined by the court in accordance with law; (ii) The interview was conducted by a qualified forensic interviewer at the time the video recording was made; (iii) The recording is both visual and oral and is recorded on film or videotape or by other similar audiovisual means; (iv) The entire interview of the child was recorded on the video recording and the video recording is unaltered and accurately reflects the interview of the child; and (v) Every voice heard on the video recording is properly identified as determined by the court; (C) In delinquency and unruly conduct proceedings, a video recording may be admissible if the admissibility requirements of present law provisions governing evidence and witnesses have been met; (D) If a video recording is offered into evidence, then the court must make specific findings of fact on the record as to the basis for the court's ruling regarding the admission or denial of admission of the video recording; and enter a protective order to restrict the video recording from further disclosure or dissemination; and (E) A video recording offered into evidence is not a public record. The court must order the video recording to be sealed and preserved following the conclusion of any proceeding.

Senate Status: 03/16/23 - Senate passed.

House Status: 03/13/23 - House passed with amendment 1 (004700).

Executive Status: 04/11/23 - Enacted as Public Chapter 0139 effective April 6, 2023.

SB442/HB535 Restitution order for child maintenance payments.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark

Summary: Allows the surviving parent or guardian of a child whose parent was a victim of vehicular homicide to convert a restitution order for child maintenance payments to a civil judgment at any time rather than following conclusion of the defendant's sentence. Broadly captioned.

Amendment Senate amendment 1 (003205) provides that this bill is known and may be cited as "Dillard's Law."
Summary:

Senate Status: 03/06/23 - Senate passed with amendment 1 (003205).

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0217 effective July 1, 2023.

SB542/HB606 Creates the tort of wrongful adoption.

Sponsors: Sen. Walley, Page , Rep. Hawk, David

Summary: Creates the tort of wrongful adoption. Creates the Class A misdemeanor of engaging or attempting to engage in placing children for adoption in violation of state law. Allows a party to a wrongful adoption to bring an action against any licensed child-placing agency, chartered child-placing agency, or licensed clinical social worker that performed or otherwise participated in the adoption and knew or reasonably should have known that the adoption violated state law. Allows a person bringing a successful claim to recovery compensatory and punitive damages and liquidated damages of no less than \$100,000.

*Amendment**Summary:*

House amendment 1 (006436) rewrites this bill to make changes to present law relative to adoption, as described below.

TENNESSEE CONSUMER PROTECTION ACT OF 1977 This amendment makes the following an unfair or deceptive act or practice in violation of the Tennessee Consumer Protection Act of 1977: (1) Violating law relative to entities authorized to place children for adoption; (2) Violating law relative to illegal payments in connection with placement of a child; and (3) Providing services related to the placement of a child or children for adoption, including, but not limited to, counseling or facilitating, and the services are provided using false or misleading representations of fact or deceptive representations.

ADOPTION FACILITATORS This amendment prohibits an adoption facilitator from operating in this state, advertising their services within the boundaries of this state, or providing services to any resident of this state, including, but not limited to, prospective adoptive parents or parents considering placing their child, whether born or not yet born, for adoption. This amendment defines an "adoption facilitator" as a person, corporation, agency, or other entity, located inside or outside of this state, that provides or engages in any of the following services in exchange for compensation in violation of law, whether directly or indirectly: (1) Soliciting parents who are considering placing their child for adoption, whether born or not yet born, for the purpose of acting as a link between the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal or physical custody of their child, including, but not limited to, adoptive placement; or (2) Soliciting prospective adoptive parents for the purpose of acting as a link between parents who are considering placing their child for adoption, whether born or not yet born, and the prospective adoptive parents, or the prospective adoptive parents' representative, attorney, or agency, for the transfer of legal custody of their child, including, but not limited to, adoptive placement. However, this amendment clarifies that an "adoption facilitator" does not include the department of children's services, a licensed child-placing agency, a chartered child-placing agency, a licensed clinical social worker, a licensed attorney, a prospective adoptive parent, or a parent considering placing their child for adoption.

ADVERTISEMENTS Present law provides that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly state that the agency or individual is not licensed or authorized to do such business in this state. This amendment revises this provision to provide, instead, that any advertisement in this state for the placement of children for adoption in another state by an agency or individual not licensed or authorized to do such business in this state must clearly disclose on any advertisement in this state for the placement of a child or children for adoption, the name of the government authority by which they are licensed, and that they are not licensed by the state of Tennessee. The disclosure must be in a form similar to "(Person/Entity) is (a child-placing agency/an attorney/a clinical social worker) licensed by (government authority). Not licensed in Tennessee.".

PLACING A CHILD FOR ADOPTION IN VIOLATION OF LAW This amendment establishes a Class A misdemeanor offense for a person who engages, or attempts to engage, in placing a child or children for adoption in violation of law relative to adoption or child care agencies.

REMEDIES Present law provides that, if the court finds that any person, corporation, agency, or other entity has engaged in the illegal placement of children for adoption, that person, corporation, agency, or other entity is liable for all the costs of the legal proceedings and for all attorney fees for private persons or private agencies who brought the action, or for the cost of attorney and staff time for the department, involved in the proceeding. This amendment revises this provision to hold the person, corporation, agency, or other entity liable to additional remedies, as described in the next paragraph. This amendment provides that adoptive parents or prospective adoptive parents who have provided compensation, whether directly or indirectly, to an adoption facilitator may bring a civil action alleging an adoption facilitation claim against such adoption facilitator. This amendment defines an "adoption facilitation claim" as any claim for damages, losses, indemnification, contribution, or other relief against an adoption facilitator arising out of, based on, or in any way related to the adoption or prospective adoption of a child. A person who brings a successful claim for adoption facilitation may recover the following: (1) Compensatory damages, including, but not limited to, noneconomic damages; (2) Punitive damages, if appropriate; and (3) Liquidated damages of no less than twice the total amount paid to the adoption facilitator. Liquidated damages must be awarded on a per-child basis for each child who is adopted in violation of state law. This amendment clarifies that a claim or judgment entered against an adoption facilitator does not affect the finalization of a pending adoption and must not be used to set aside a final order of adoption.

Senate Status: 04/17/23 - Senate passed after reconsidering their actions and withdrawing Senate amendment 1 (005513).

House Status: 04/03/23 - House passed with amendment 1 (006436).

Executive Status: 05/10/23 - Enacted as Public Chapter 0361 effective July 1, 2023.

SB591/HB764 Abolishes community oversight boards and creates police advisory and review committees.

Sponsors:

Sen. Pody, Mark , Rep. Davis, Elaine

Summary:

Abolishes community oversight boards and authorizes municipalities to create police advisory and review committees to ensure the timely, fair, and objective review of citizen complaints and to make recommendations concerning such complaints. Specifies membership, appointment process, and terms for members of police advisory and review committees.

*Amendment**Summary:*

Senate amendment 1 (006990) makes the following changes to this bill: (1) Expands the provisions of this bill to apply to local governing bodies, instead of just municipal governmental bodies; POLICE ADVISORY AND REVIEW COMMITTEES (2) Clarifies that a local governing body is authorized upon the adoption of an ordinance or resolution to create a police advisory and review committee and limits the recommendations of the board concerning citizen complaints to be made only to the head of a law enforcement agency; (3) Changes requirement (2) in the summary under POLICE ADVISORY AND REVIEW COMMITTEES for a committee member to require that they not be a current employee of a local governing body; (4) Adds that no more than two persons may be appointed from one district or ward within a local government entity that is represented by a member of a local governing body; (5) Adds that members of the committee who fail to complete required courses are considered to have vacated their positions on the committee and may be replaced; (6) Clarifies that members of the committee must respect an individual's, including a local law enforcement officer's, right to privacy, and maintain materials received pertaining to their membership; MISCONDUCT BY A COMMITTEE MEMBER (7) Requires that the attorney for the local government entity investigate an allegation of misconduct by a committee member or their staff and submit a written report of investigative findings to the mayor or local governing body; EXECUTIVE DIRECTOR OF THE COMMITTEE (8) Changes the requirement that the mayor select an executive director of the committee, and instead authorizes the mayor to do so. As the selection is no longer a requirement, the requirement that the committee provide the executive director with support staff and an adequate office space and equipment is deleted. This amendment deletes the requirement that the executive director be a nonclassified exempt employee of the community relations department or similar division for the municipality; (9) Changes the requirement pertaining to the executive director's employment to provide that the executive director must not be a former employee of a law enforcement agency for the preceding 12 months. This amendment adds that no person may be approved as executive director until the person has submitted to a state criminal history background check and investigation to be conducted by the Tennessee bureau of investigation; a national criminal history background check to be conducted by the federal bureau of investigation; and a lawfully administered test designed to detect the presence of a controlled substance or a controlled substance analogue; (10) Clarifies that if the executive director determines an investigation is incomplete, then the director must notify the committee that in the director's opinion additional investigation or additional time may be required for the investigation to be complete; (11) Authorizes the director to request legal services and advice from the attorney for the local government entity that provides legal services to the local government for which the executive director is employed; (12) Deletes the requirement that the executive director administer oaths to complainants and witnesses. This amendment also clarifies that the director must compile statistical information regarding complaints of misconduct by law enforcement officers that were reported to the executive director from a member of the public, reported to the internal affairs unit where the investigation was reviewed by the executive director, or which were initiated by the executive director; (13) Revises what the executive director can do if they find that an investigation is not complete by authorizing the director to return the investigation to the internal affairs unit for additional investigation; MEETINGS (14) Deletes the requirement that the chief of police or chief of police's designee attend all meetings of the committee; (15) Deletes the authorization of the committee to subpoena witnesses to appear before the internal affairs unit or the executive director, and to compel witnesses to provide statements or produce documents in furtherance of an investigation when necessary. Instead, this amendment provides that a police advisory and review committee does not have power to issue subpoenas for documents or compel witness testimony. However, a local governing body is not prohibited from issuing a subpoena and may do so on behalf of the police advisory and review committee following the same requirements as provided by the bill; LIMITATIONS ON REVIEW (16) Changes the limitation against reviewing an incident that occurred prior to July 1, 2023, to prior to January 1, 2023; and INVESTIGATIONS OF POLICE OFFICERS (17) Changes present law that provides that the laws governing investigations of police officers, such as questioning, disclosure, notice, and procedure requirements, apply only to those agencies that now provide a property interest in employment for their police officers and that have no other established procedures for dealing with the dismissal, demotion, suspension or transfer for punitive reasons of police officers. This amendment limits the laws that apply only to those agencies providing a property interest in employment so that present law pertaining to the prohibition of a law enforcement officer engaging in political activity and the requirement that an investigative record of officer-involved shooting death become public record applies to all law enforcement agencies. House amendment 2 (008051) incorporates the changes made by Senate Amendment #1 with the following changes and additions: (1) Makes numerous non-substantive grammatical changes; (2) Specifies that this bill will preempt local legislation concerning police oversight boards that does not conform with this bill as of January 1, 2023; (3) Changes the date by which a local governing body that created a police oversight body prior to July 1, 2023, must comply with this bill from within 90, to within 120, days of July 1, 2023, or the police oversight body is terminated; and (4) Specifies that a candidate for appointment as executive director of a police review and oversight committee must submit a fingerprint sample to be used for their criminal history background check. This amendment requires the local government to pay for the background check, but authorizes local governments to require an applicant to pay such costs. This amendment requires the TBI to provide the results of a background check to the mayor within five days of receipt of such results. This amendment classifies the results of the background checks as confidential and not open for public inspection.

Senate Status: 04/21/23 - Senate concurred in House amendment 2 (008051).

House Status: 04/20/23 - House passed with amendment 2 (008051).

Executive Status: 05/22/23 - Enacted as Public Chapter 0454 effective July 1, 2023.

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Adds district attorneys general to those the department of children's services must release confidential information to upon presentation of an appropriate court order. Broadly captioned.

Senate Status: 03/06/23 - Senate passed.

House Status: 04/03/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0197 effective April 24, 2023.

SB611/HB1106 Transfer of juvenile to a criminal court to be tried as an adult.

Sponsors: Sen. Walley, Page , Rep. Littleton, Mary

Summary: Allows a juvenile court to transfer a juvenile 16 years of age or older to a criminal court of competent jurisdiction to be tried as an adult for committing the offense of escape from a youth development center approved, certified, or licensed by the department of children's services.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/17/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0264 effective July 1, 2023.

SB617/HB1120 Requirements for department of children's services training.

Sponsors: Sen. Akbari, Raumesh , Rep. Russell, Lowell

Summary: Requires the department to provide annual training to youth service officers on best practices for behavior management and conflict resolution in the context of supervision of juvenile justice youth. Requires the department to make chaplain services available on a regular basis to juveniles who are in the department's custody and housed in a juvenile detention facility approved, certified, or licensed by the department, including youth development centers. Prohibits the department from requiring a juvenile to attend or make use of chaplain services. Requires juveniles 16 years of age or older in the department's custody in a Level III or Level IV facility to be housed, educated, and maintained separately from children less than 16 years of age. Broadly captioned.

Amendment Summary: House amendment 1 (004147) requires the Department of Children's Services (DCS) to make chaplain services available on a regular basis to juveniles who are in DCS custody and housed in a youth development center. Requires DCS to provide annual training to all youth service officers on best practices for behavior management and conflict resolution in the supervision of juveniles. Prohibits children aged 16 or older who have been committed to DCS and are housed in a hardware secure juvenile detention facility or youth development center from being housed with juveniles less than 16 years of age except under certain circumstances. Effective January 1, 2024.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/06/23 - House passed with amendment 1 (004147).

*Executive Status:*03/27/23 - Enacted as Public Chapter 0067 effective January 1, 2024.

SB1001/HB831 Expunction - certificate of eligibility.

Sponsors: Sen. Yager, Ken , Rep. Lamberth, William

Summary: Requires the Tennessee bureau of investigation (TBI) to develop a request for a certification form to be completed by the court and submitted to the TBI prior to entering an order of expunction. Requires the TBI to determine and certify whether a submitted offense is eligible for expunction. Prohibits the entry of an order of expunction on or after January 1, 2024, unless a certificate of eligibility from the TBI is attached to the order of expunction.

Amendment Summary: House amendment 1 (005000) adds that a court is not required to submit a certificate to the TBI if the expungement is upon petition by a defendant in the court that entered a nolle prosequi in the defendant's case, or if the expungement is pursuant to (1) (-)(6) below. This amendment adds to present law by: (1) Authorizing a person to petition for expunction of the person's arrest record if the court with jurisdiction over the offense for which the person was arrested has no history of the person's arrest for the offense within the court's records. Upon filing of the petition, the clerk must serve the petition on the district attorney general for that judicial district; (2) Authorizing both the petitioner and the district attorney general to file evidence with the court relating to a petition filed under (1); (3) Requiring the clerk's office to search the court's records and certify to the court whether there is any history of the person's arrest for the offense at issue within the court's records; (4) Requiring, prior to entering an order on the petition, the court to review and consider the clerk's certification and all evidence submitted by the petitioner and the district attorney general; (5) Authorizing the court to enter an order of expunction of the arrest record if the court finds that there is no history of the person's arrest for the offense within the court's record; and (6) Requiring person petitioning the court for expunction pursuant to this amendment to be charged the appropriate clerk's fee, if applicable..

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (005000).

*Executive Status:*05/15/23 - Enacted as Public Chapter 0392 effective May 11, 2023.

SB1056/HB1459 Administrative record of inmates when considering sentences.

Sponsors: Sen. Jackson, Ed , Rep. Moody, Debra

Summary: Permits, for purposes of considering whether to order a defendant to serve multiple sentences consecutively, a judge to consider the defendant's administrative record of violent behavior while incarcerated, regardless of whether the defendant was charged or convicted for such acts. Broadly captioned.

Amendment Summary: Senate amendment 1 (006502) rewrites this bill and adds the following to the present law relative to offenses committed within a penal institution: (1) A warden or chief administrative officer employed by a penal institution, who knows that an offense enumerated in (2) below has occurred within the penal institution, must report the offense to the district attorney general for the judicial district in which the penal institution is located and the district attorney general who prosecuted the offense for which the offender is incarcerated within five business days of becoming aware of the offense being committed; (2) The above requirement applies to aggravated assault; first degree murder; second degree murder; voluntary manslaughter; criminally negligent homicide; aggravated rape; rape; aggravated sexual battery; sexual battery; and indecent exposure; and (3) A violation of (1) above is a Class A misdemeanor. This amendment also authorizes the court to order sentences to run consecutively if the court finds by a preponderance of the evidence that the defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in (2) above.

Senate Status: 04/10/23 - Senate passed with amendment 1 (006502).

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0347 effective July 1, 2023.

SB1059/HB841 Removal of the educational justification for possessing obscene material on school property.

Sponsors: Sen. Hensley, Joey , Rep. Lynn, Susan

Summary: Removes the educational justification for a person who possesses obscene material on school property. Defines school property as any school building, bus, campus, grounds, recreational area, athletic field, or other property used by a local educational agency.

Amendment Summary: Senate amendment 1 (005934) rewrites this bill to make it a Class E felony for a book publisher, distributor, or seller to knowingly sell or distribute obscene matter to a public school serving any of the grades K-12. In addition to the punishment authorized for a Class E felony (one to six years imprisonment and a fine of up to \$3,000), a person who violates this amendment's prohibition will additionally be fined at least \$10,000, but not more than \$100,000.

Senate Status: 04/10/23 - Senate passed with amendment 1 (005934).

House Status: 04/17/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0278 effective July 1, 2023.

SB1112/HB289 Imposition of the death penalty.

Sponsors: Sen. Bowling, Janice , Rep. Russell, Lowell

Summary: Allows a jury to use certain criteria to determine if a death sentence it imposed should be expedited. Requires the jury's determination to be unanimous. Stipulates that a death sentence may be expedited for offenses involving the death of three or more victims killed by at least one deadly weapon or the use of one or more deadly weapons on any public or private school grounds. Provides for an expedited sentence for an offense involving the killing a first responder during the course of the first responder performing job duties. Requires the defendant's guilt to be incontestable based on certain evidence presented at trial such as video of the defendant committing the crime or DNA linking the defendant to the crime. Provides that death sentences meeting the prescribed criteria be carried out within 30 business days of the exhaustion of post-conviction relief options and appeals.

Senate Status: 04/19/23 - Senate passed.

House Status: 03/13/23 - House passed.

Executive Status: 05/15/23 - Enacted as Public Chapter 0375 effective July 1, 2023.

SB1205/HB686 Victim advocate's communication - disclosure of certain info prohibited.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob

Summary: Prohibits an advocate from disclosing any communication received by the advocate from a victim, records regarding a victim stored by the advocate, counseling the victim received, crisis intervention the victim receiving, or the location of the shelter that accommodated the victim during any judicial, legislative, or administrative proceeding unless the victim waives this right by written consent. Allows the court to compel disclosure if the information is deemed relevant and material evidence, the probative value of the information outweighs the harmful effect of disclosure, and the information cannot be obtained by reasonable means from any other source.

Amendment Summary: Senate amendment 1 (005093) revises the provisions relative to a court's ability to compel disclosure, to provide that this bill does not limit the ability of a court to compel disclosure if, upon the motion of a party, the court determines after an in-camera review that: (1) The information sought is relevant and material evidence of the facts and circumstances involved in an alleged criminal act that is the subject of a criminal proceeding or a proceeding brought by the department of children's; (2) The probative value of the information outweighs the harmful effect of disclosure, if any, on the victim, the victim-advocate relationship, and the treatment services; and (3) The information cannot be obtained by reasonable means from any other source.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005093).

House Status: 04/13/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0282 effective July 1, 2023.

SB1211/HB555 Removes requirements for a victim to report an offense in a certain period of time in order to receive compensation.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary

Summary: Enables victims of human trafficking offenses to still be eligible to receive compensation from the criminal injuries compensation fund without having to prove the victim reported the offense to proper law enforcement within a previously required period of time.

Amendment Summary: House amendment 1 (005357) makes a technical clarification by removing a duplicative cross reference, revises this bill's provision concerning the burden of proof in claims for compensation by victims of human trafficking offenses, and revises other present law provisions governing criminal injury compensation claims, as described below. BURDEN OF PROOF. Present law provides that the claimant has the burden of presenting all facts necessary in determining whether the claimant is entitled to compensation, and prohibits a claimant from being entitled to compensation unless the claimant proves certain requirements by a preponderance of the evidence, including, but not limited to, that the claimant has fully cooperated with the police and the district attorney general in the investigation and prosecution of the offender. This amendment creates an exception to the above requirement for cases involving a victim of human trafficking where it is determined that the victim's cooperation may be impacted due to the victim's age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim's well-being. PROCEDURE. Under present law, an award of compensation under the Criminal Injuries Compensation Act of 1976 cannot be made where the law enforcement records show that the victim or victim's family failed to report the crime within 48 hours unless, for good cause shown, it is found that the delay was justified. Present law further provides that good cause for the failure of a victim or a member of the victim's family to report a crime may be found if the victim is: (1) Physically unable; (2) A victim of sexual assault; or (3) A victim of domestic abuse. This amendment adds that good cause for the failure of a victim or a member of the victim's family to report a crime may also be found if the victim is a victim of human trafficking.

Senate Status: 04/17/23 - Senate passed.

House Status: 04/10/23 - House passed with amendment 1 (005357).

*Executive Status:*05/10/23 - Enacted as Public Chapter 0359 effective May 5, 2023.

SB1212/HB115 Tennessee Businesses Against Trafficking program.

Sponsors: Sen. White, Dawn , Rep. Moody, Debra

Summary: Authorizes the secretary of state to establish and implement the Tennessee Businesses Against Trafficking program to engage corporations and private entities to assist in identifying, preventing, and combating human trafficking. Provides participating corporations and private entities a certificate of recognition. Requires participating corporations and private entities to adopt a zero-tolerance policy toward human trafficking, take measures to ensure employees comply with rules promulgated by the secretary of state's office, participate in training and public awareness campaigns, and enhance awareness and encourage participation within the program.

Amendment Summary: Senate amendment 1 (003680) makes technical corrections to the headers in the bill.

Senate Status: 03/16/23 - Senate passed with amendment 1 (003680).

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0177 effective April 17, 2023.

SB1224/HB114 Sentencing - offenses involving more than one victim.

Sponsors: Sen. White, Dawn , Rep. Russell, Lowell

Summary: Allows a court to impose consecutive sentences to a defendant convicted of two or more criminal offenses to more than one victim irrespective if the offenses occurred in the same criminal episode.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*05/23/23 - Enacted as Public Chapter 0481 effective July 1, 2023.

SB1225/HB556 Notice requirement for offender placed on registry for abusing vulnerable individuals.

Sponsors: Sen. White, Dawn , Rep. Littleton, Mary

Summary: Requires that court clerks notify the health facilities commission, instead of the department of health, when an offender is to be placed on the registry of persons who have been determined to have abused, neglected, misappropriated, or exploited the property of vulnerable individuals. Requires that such notice is given within 90 days of conviction of the offense.

Senate Status: 03/06/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0103 effective March 31, 2023.

SB1319/HB1109 Offense of custodial interference.

Sponsors: Sen. Bailey, Paul , Rep. Travis, Ron

Summary: Adds to the offense of custodial interference for any person who harbors or hides a child that has been placed in the custody of the department of children's services by a protective custody order or an emergency custody order.

Senate Status: 03/30/23 - Senate passed.

House Status: 04/13/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0286 effective July 1, 2023.

SB1347/HB1251 Expansion of the definition of sexual activity relating to the exploitation of minors.

Sponsors: Sen. Lundberg, Jon , Rep. Crawford, John

Summary: Expands the definition of "sexual activity," as used in the offense of soliciting sexual exploitation of a minor, to include exhibition of the female breast, genitals, buttocks, anus, or pubic or rectal area of any person that can be reasonably construed as being for the purpose of the sexual arousal or gratification of the defendant or another.

Senate Status: 03/20/23 - Senate passed.

House Status: 04/03/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0209 effective July 1, 2023.

SB1500/HB1002 Untested sexual assault kit reports.

Sponsors: Sen. Taylor, Brent , Rep. Lamberth, William

Summary: Requires law enforcement agencies and departments charged with the maintenance, storage, and preservation of sexual assault collection kits to conduct an inventory of all such kits by January 1, 2024 and compile a report of the number of untested kits and the date collected. Requires the agency or department to transmit the report to the Tennessee bureau of investigation. Requires the Tennessee bureau of investigation to prepare and transmit a report to the speaker of the senate and speaker of the house of representatives containing the number of untested sexual assault collection kits by July 1, 2024. Broadly captioned.

*Amendment**Summary:*

House amendment 1 (005770) rewrites this bill to revise provisions of present law pertaining to post-conviction procedure. ATTORNEY GENERAL AND REPORTER Present law generally makes it the responsibility of district attorneys general responsible for representing the state in post-conviction proceedings. In cases where a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, this amendment gives the attorney general and reporter exclusive control over the state's defense of the request for collateral review. The attorney general and reporter will not be bound by any stipulations, concessions, or other agreements made by a district attorney general related to a request for collateral review. This amendment restricts a trial court from entering a final order granting relief on a request for collateral review until the attorney general and reporter files a response to the request. This amendment provides that the state will be responsible for the attorney general and reporter's expenses associated with post-conviction proceedings to the same extent as district attorneys general in non-capital cases. This amendment requires district attorneys general and their staff to lend necessary assistance to the attorney general and reporter in the trial and disposition of requests for collateral review. This amendment defines collateral review as any post-conviction proceeding, including a petition requesting analysis of evidence, a proceeding to determine if a defendant had an intellectual disability at the time the defendant committed first degree murder, a proceeding for a writ of error coram nobis, a proceeding involving a challenge to a capital inmate's competency to be executed, and any other judicial reexamination of a judgment or claim in a proceeding outside the direct review process. INTELLECTUALLY DISABLED DEFENDANTS Under present law, a defendant with an intellectual disability at the time of committing first degree murder may not be sentenced to death. The burden of production and persuasion to demonstrate intellectual disability by a preponderance of the evidence is upon the defendant. The determination of whether the defendant had intellectual disability at the time of the offense of first degree murder must be made by the court. A determination by the trier of fact that the defendant does not have intellectual disability must not be appealable by interlocutory appeal, but may be a basis of appeal by either the state or defendant following the sentencing stage of the trial. A defendant sentenced to death prior to May 11, 2021, and whose conviction is final on direct review may petition the trial court for a determination of whether the defendant is intellectually disabled. The motion must set forth a colorable claim that the defendant is ineligible for the death penalty due to intellectual disability. This amendment reopens the period within which a defendant may petition for review for a determination of whether the defendant is intellectually disabled from a defendant who was sentenced to the death penalty prior to May 11, 2021, to a defendant who was sentenced to the death penalty prior to the date that this bill becomes a law. This amendment requires the defendant filing a motion under these provisions to serve the attorney general and reporter. Senate amendment 1 (006336) establishes that, in cases in which a defendant has been sentenced to death and is seeking collateral review of a conviction or sentence, the Attorney General (AG) has exclusive control over the state's defense of the request and that the AG is not bound by any stipulations, concessions, or other agreements made by the district attorney general related to a request for collateral review. Establishes that the trial court lacks jurisdiction to enter a final order granting relief on a request for collateral review in such cases until the AG files a response to the request. Requires the district attorney general and staff to lend whatever assistance may be necessary to the AG in the trial and disposition of requests for collateral review in such cases, including, but not limited to, providing the AG with the district attorney general's case file and any other case-related material. Entitles the AG to reimbursement, to be paid by the state, for any expenses, including travel, incurred in connection with the preparation and trial of any such proceeding. Extends, from May 11, 2021, to the effective date of this legislation, the date before which a defendant sentenced to the death penalty may petition the trial court for a determination of whether or not the defendant is intellectually disabled. Requires the defendant who is filing such a motion to serve the AG. Applies to all currently pending, reopened, and future requests for collateral review.

Senate Status: 04/10/23 - Senate passed with amendment 1 (006336).

House Status: 04/17/23 - House concurred in Senate amendment 1 (006336).

Executive Status: 05/01/23 - Enacted as Public Chapter 0182 effective April 28, 2023.

EDUCATION

SB4/HB435 Establishes a deaf mentor and parent advisor program.

Sponsors: Sen. Massey, Becky , Rep. White, Mark

Summary: Establishes a deaf mentor and parent advisor program to assist families in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind at the Tennessee Schools for the Deaf and the West Tennessee School for the Deaf.

Senate Status: 04/17/23 - Senate passed.

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0327 effective July 1, 2023.

SB12/HB433 Eligibility criteria for education savings account expanded.

Sponsors: Sen. Gardenhire, Todd , Rep. White, Mark

Summary: Expands eligibility criteria for education savings accounts to include students zoned within local education agencies with at least five schools that are identified as priority schools in the 2015, 2018, and 2021 cycles, and among the bottom 10% of schools identified in 2017.

Senate Status: 04/20/23 - Senate non-concurred in House amendment 1 (005095).

House Status: 04/21/23 - House repassed bill.

*Executive Status:*05/10/23 - Enacted as Public Chapter 0328 effective May 5, 2023.

SB74/HB27 HOPE scholarship eligibility after earning first baccalaureate degree.

Sponsors: Sen. Watson, Bo , Rep. Lamberth, William

Summary: Permits a student who earns the student's first baccalaureate degree in less than the projected completion time to continue to receive the Tennessee HOPE scholarship in pursuit of an advanced degree under certain conditions. Stipulates that the student must continue to meet all applicable eligibility and academic requirements for the scholarship and be enrolled in coursework for a program of study in pursuit of a master's degree, doctorate or other advanced degree at eligible public postsecondary institution within three months of receiving the first degree. Provides that the scholarship be disbursed in the same amount received during the last semester in which the student was making satisfactory progress towards the awarded first degree. Prohibits a student to receive a HOPE scholarship if five years have passed from the initial enrollment except under certain circumstances. Allows the Tennessee student assistance corporation, upon the act becoming law, to promulgate rules in accordance with the Uniform Administrative Procedures Act and sets July 1, 2023, as the effective date for all other purposes.

Amendment Summary: House amendment 1 (004053) authorizes an eligible Tennessee HOPE scholarship student to continue to receive the HOPE scholarship until the student has earned an advanced degree or for up to five years from initial enrollment, whichever is first. House amendment 2 (004114) authorizes an eligible Tennessee HOPE scholarship student who has earned their first baccalaureate degree to continue to receive the HOPE scholarship if the student has earned their degree in less time than the projected completion time. Establishes that the scholarship is to be in the amount received by the student for the last semester in which the student was making satisfactory progress in the course of study that culminated with the student earning the student's first baccalaureate degree. Requires such students to be admitted to and enrolled in coursework for a program of study in pursuit of an advanced degree within three months of the student receiving the first baccalaureate degree. Specifies that the student is only eligible to continue to receive the HOPE scholarship for the number of semesters that the student would have been eligible to receive the scholarship had the student not completed their program of study earlier than the projected time and within five years of initial enrollment.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/21/23 - House passed with amendment 1 (004053) and amendment 2 (004114).

*Executive Status:*05/15/23 - Enacted as Public Chapter 0368 effective May 11, 2023.

SB89/HB29 Developmental instruction in higher education.

Sponsors: Sen. Hensley, Joey , Rep. Cepicky, Scott

Summary: Allows a public institution of higher education to offer remedial or developmental courses or coursework to address student remedial needs. Current law prohibits four-year institutions governed by the board of regents and the University of Tennessee board of trustees from offering such courses.

Amendment Summary: House amendment 1 (003805) revises this bill to authorize a state university and the University of Tennessee system to coordinate with a two-year institution governed by the board of regents for the two-year institution to provide remedial or developmental courses or coursework, regardless of whether the university offers remedial or developmental courses or coursework at present.

Senate Status: 04/05/23 - Senate passed.

House Status: 02/23/23 - House passed with amendment 1 (003805).

*Executive Status:*05/02/23 - Enacted as Public Chapter 0289 effective July 1, 2023.

SB102/HB158 Implicit bias training in education.

Sponsors: Sen. Gardenhire, Todd , Rep. Zachary, Jason

Summary: Prohibits a local education agency, public charter school, public institution of higher education, the state board of education, and the department of education from requiring an educator, employee of an LEA or charter school, faculty member, or employee of a public institution of higher education to complete or participate in implicit bias training. Defines "implicit bias training"; prohibits adverse licensure and employment actions from being taken against such an individual for the individual's failure or refusal to participate in implicit bias training.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*05/22/23 - Enacted as Public Chapter 0438 effective May 17, 2023.

SB190/HB340 OREA report on the formation and operation of community schools.

Sponsors: Sen. Lundberg, Jon , Rep. Cepicky, Scott

Summary: Deletes a provision of code that required the office of research and education accountability (OREA) in the office of the comptroller of the treasury to, by November 1, 2018, study and file a report on the formation and operation of community schools. Broadly captioned.

Amendment House amendment 1 (004052) rewrites this bill to revise the present law requirement that a student must be considered in violation of a zero tolerance offense and be expelled for not less than one calendar year, except that a director of schools may modify such expulsion on a case-by-case basis, for the following conduct: (1) A student brings to school or is in unauthorized possession on school property of a firearm; (2) A student commits aggravated assault or commits an assault that results in bodily injury upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer; or (3) A student is in unlawful possession of any drug, including any controlled substance, controlled substance analogue, or legend drug, on school grounds or at a school-sponsored event. This amendment adds to the above list a student who threatens mass violence, meaning an act which a reasonable person could conclude would lead to serious bodily injury or death of two or more persons, on school property or at a school-related activity.

Senate Status: 04/05/23 - Senate passed.

House Status: 03/13/23 - House passed with amendment 1 (004052).

Executive Status: 05/02/23 - Enacted as Public Chapter 0299 effective July 1, 2023.

SB198/HB250 Nationally recognized assessments for high school seniors.

Sponsors: Sen. Lundberg, Jon , Rep. Haston, Kirk

Summary: Requires, beyond the 2022-2023 school year, each LEA and public charter school to provide each high school senior, instead of students generally, the opportunity to take nationally recognized assessments provided that the assessments are standardized, criterion-referenced tests designed to measure a broad range of foundational workplace skills. Specifies other requirements for such assessments.

Amendment Senate amendment 2 (007264) requires local education agencies (LEAs) and public charter schools to provide each high school senior, instead of students in general, the opportunity to take nationally recognized assessments in the 2023-24 school year. Establishes certain criteria that the assessments must meet in order to be used pursuant to this section. Deletes language that stipulates that the section is subject to available federal funds.

Senate Status: 04/21/23 - Senate refused to recede from its actions in Senate amendment 2 (007264).

House Status: 04/21/23 - House repassed bill after reconsidering actions and withdrawing House amendment 3 (008003).

Executive Status: 05/22/23 - Enacted as Public Chapter 0439 effective May 17, 2023.

SB225/HB588 Remote instruction to students enrolled in LEA who have been suspended or expelled.

Sponsors: Sen. Walley, Page , Rep. Gant, Ron

Summary: Specifies that an LEA that has established a virtual school to enter into an agreement with an LEA that has not established a virtual school for the LEA's virtual school to provide remote instruction to students enrolled in either LEA who have been suspended or expelled from the regular school program.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0111 effective July 1, 2023.

SB249/HB68 Learning loss remediation by use of summer learning camps.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires LEAs to conduct summer learning camps and after-school learning mini-camps for priority students annually rather than summers only. Updates the definition of "priority student" to include additional "at-risk" children and students entering certain grade levels to participate in after-school learning mini-camps, learning loss bridge camps, and summer learning camps. Provides that an "at-risk" student is a student who will be entering first, second, or third grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent state-approved screenings or certain other assessments. For purposes of a learning loss bridge camp, an at-risk student is defined as a student who will be entering the fourth, fifth, sixth, seventh, eighth, or ninth grade in the upcoming school year and who scored below proficient in math or English language arts on the student's most recent TCAP test or state-adopted benchmark assessment. For summer learning camps, an at-risk student is one who will be entering kindergarten, first, second or third grade and who attends a public school or public charter school in with fewer than 50 percent of students in grades three through five scored proficient in math or English language arts on the most recently administered TCAP test. An "at-risk" student is further defined as one who will be entering kindergarten through third grade and who is eligible for TANF. Provides guidelines for determining program requirements. Part of Administration Package.

Amendment Senate amendment 1 (003486) changes the effective date of the bill from October 1, 2023, to upon becoming a law.

Senate Status: 03/06/23 - Senate passed with amendment 1 (003486).

House Status: 03/23/23 - House passed.

Executive Status: 04/17/23 - Enacted as Public Chapter 0144 effective April 13, 2023.

SB255/HB74 High school equivalency credentials.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Replaces the terms "general education development credential," "GED(R)," "high school equivalency test," "HiSET(R)," and variations of the terms wherever they appear in the code, with the term "high school equivalency credential." Also replaces any reference to GED(R) or HiSET(R) classes, coursework, testing, or services with the phrase "adult education programming to include preparation and testing toward obtaining a high school equivalency credential." Part of Administration Package.

Amendment Summary: Senate amendment 1 (003768) revises present law provisions relative to the department of labor and workforce development being authorized to make recommendations relative to assessments that lead to the award of a high school equivalency credential. Such law requires the state board of education to review the recommendations of the department, and provides that any recommendation approved by the board must be considered a high school equivalency assessment and that the successful completion of such assessment must lead to the award of a high school equivalency credential. This amendment clarifies that the board is authorized to promulgate rules to effectuate these provisions. This amendment also changes the effective date from upon becoming a law to July 1, 2023.

Senate Status: 02/27/23 - Senate passed with amendment 1 (003768).

House Status: 03/16/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0114 effective July 1, 2023.

SB281/HB329 Publishing the annual state salary schedule on the department of education's website.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires the commissioner of education to publish the annual state salary schedule on the department's website. Effective July 1, 2023. Part of Administration Package.

Amendment Summary: House amendment 1 (005368) rewrites this bill to revise law relative to teachers' wages, as described below. STATE SALARY SCHEDULE FOR TEACHERS. Under present law, the commissioner, as approved by the state board of education, must annually formulate a table of training and experience factors and a state salary schedule to be effective for each school year, which must be applicable to all licensed personnel in every LEA, and which must include an established base salary per school year consisting of a term of 200 days for beginning licensed personnel with a bachelor's degree and zero years of experience. Licensed personnel having more training and experience must receive more than the established base per school year. Certified personnel having less training and experience must receive less than the established base per school year. The salary schedule must not be applicable to substitute personnel. This amendment requires that the state salary schedule for teachers formulated by the commissioner must establish a base salary that is no less than the following: (1) \$42,000 for the 2023-2024 school year; (2) \$44,500 for the 2024-2025 school year; (3) \$47,000 for the 2025-2026 school year; and (4) \$50,000 for the 2026-2027 school year. PROHIBITED DEDUCTIONS FROM WAGES. This amendment prohibits an LEA from deducting dues from the wages of the LEA's employees for a professional employees' organization, including, but not limited to, a professional employees' organization that is affiliated with a labor organization under federal law. However, an employee of an LEA is not prohibited from personally and voluntarily remitting dues to a professional employees' organization. House amendment 2 (006529) removes Section 2 from the bill that prohibits an LEA from deducting dues from the wages of and LEA employee for a professional employees' organization.

Senate Status: 04/20/23 - Senate concurred in House amendment 2 (006529) and House amendment 1 (005368).

House Status: 04/19/23 - House passed with amendment 2 (006529) and amendment 1 (005368).

Executive Status: 05/17/23 - Enacted as Public Chapter 0437 effective July 1, 2023.

SB300/HB437 Explanation of appeals process to be posted on website for student who is identified for retention.

Sponsors: Sen. Lundberg, Jon , Rep. White, Mark

Summary: Requires the department to post on the department's website an explanation of the appeals process, administered by the department, for a student who is identified for retention in third grade, based on the student's performance level rating on the ELA portion of the student's most recent TCAP test.

*Amendment**Summary:*

Senate amendment 2 (007359) rewrites this bill to revise various provisions of present law pertaining to the promotion of students from third grade, as described below. **PROMOTION TO NEXT GRADE LEVEL** Under present law, beginning with the 2022-2023 school year, a student in the third grade must not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee comprehensive assessment program (TCAP) test. However: (1) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student is retested before the beginning the next school year and scores proficient in ELA; (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a 90 percent attendance rate at the camp, and the student's performance on the post-test administered to the student at the end of the learning loss bridge camp demonstrates adequate growth, as determined by the department; or (E) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps (TALLC) to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department; and (2) A student who is not proficient in ELA, as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if: (A) The student is an English language learner and has received less than two years of ELA instruction; (B) The student was previously retained in any of the grades K-3; (C) The student retested before the beginning the next school year and scores proficient in ELA; or (D) The student attends a learning loss bridge camp before the beginning of the upcoming school year and maintains a 90 percent attendance rate at the camp, and is assigned a tutor through the TALLC to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. This amendment adds another option under (1), providing that, beginning with the 2023-2024 school year, a student may be promoted if the student demonstrates proficiency in ELA standards based on the student's scoring within the 50th percentile on the most recently administered state-provided benchmark assessment, if the benchmark assessment is administered to the student in a test environment, as determined by the department, and the student's LEA or public charter school agrees to provide tutoring services to the student for the entirety of the student's fourth-grade year based on tutoring requirements established by the department. If a student is promoted to the fourth grade pursuant to this, then the student's LEA or public charter school must notify the student's parent or guardian, in writing, of the benefits of enrolling their student in a learning loss bridge camp and encouraging the parent or guardian to do so. **RULES BY STATE BOARD OF EDUCATION** Under present law, the state board of education must promulgate rules to establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test. The rules must provide that if an appeal is filed, the filing must be made by the student's parent or guardian. This amendment revises this present law provision to require that the rules provide, for the 2023-2024 school year and every school year thereafter: (1) That if an appeal is filed, the filing must be made by the student's parent or guardian unless the student's parent or guardian consents, in writing, to a principal, guidance counselor, teacher, or other administrator of the student's school filing the appeal, in which case the appeal may be filed by such individual; and (2) The process by which a principal, guidance counselor, teacher, or other administrator of the student's school must obtain the written consent of a student's parent or guardian for purposes of filing an appeal on behalf of the student's parent or guardian. **REPORT BY DEPARTMENT** This amendment requires that the department must report, to the education committees of the senate and house of representatives, for each LEA: (1) The number of students identified for mandatory retention who were promoted to the fourth grade pursuant to the new option for promotion under (1); (2) The provider, format, and frequency of tutoring services provided to students in the fourth grade who were promoted pursuant the new option for promotion under (1); (3) The percentage of students promoted pursuant to the new option under (1) that demonstrated growth or proficiency in ELA after receiving tutoring services in the fourth grade; (4) The number of students promoted pursuant to the new option under (1) that enrolled in a learning loss bridge camp; and (5) The percentage of students promoted pursuant to the new option under (1) and who enrolled in a learning loss bridge camp, that demonstrated growth or proficiency in ELA at the conclusion of the camp. The information in (1) must be reported no later than December 1, 2024, and each December 1 thereafter. The other information must be provided no later than December 1, 2025, and then each December 1 thereafter. **TUTORING SERVICES** This amendment requires that, beginning with the 2023-2024 school year, a student who is retained in any of the grades K-3 must be assigned a tutor to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the department. The department may procure up to three online tutoring providers for LEAs and public charter schools to use to provide online tutoring services to students. The chief procurement officer is authorized to approve an emergency purchase of online tutoring providers using procurement methods authorized by law and the rules of the department of general services' central procurement office.

Senate Status: 04/18/23 - Senate passed with amendment 2 (007359).

House Status: 04/20/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0338 effective May 5, 2023.

SB301/HB961 Allows adjunct faculty to participate in the Brian Byrge Act.

Sponsors: Sen. Lundberg, Jon , Rep. Hicks, Gary

Summary: Allows adjunct faculty to participate in the Brian Byrge Act by allowing them to enroll in one course consisting of no more than four credit hours or 120 clock hours, per term at the community college or Tennessee college of applied technology at which they are employed, without paying tuition charges or maintenance fees.

Senate Status: 04/05/23 - Senate passed.

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0339 effective July 1, 2023.

SB315/HB1456 School resource officers provided to private schools.

Sponsors: Sen. Niceley, Frank , Rep. Faison, Jeremy

Summary: Authorizes a private school and a local government to execute a contract or memorandum of understanding to allow the law enforcement agency of the local government to provide school resource officers to the private school. Broadly captioned.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/09/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0087 effective March 31, 2023.

SB317/HB1416 Extension of benefits to children of military families.

Sponsors: Sen. Powers, Bill , Rep. Ragan, John

Summary: Extends the benefits and opportunities provided to children of active duty members of the uniformed services in the Interstate Compact on Educational Opportunity for Military Children to school-aged children in the household of a member of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard who are enrolled in any of the grades kindergarten through 12.

Senate Status: 04/05/23 - Senate passed.

House Status: 04/17/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0257 effective April 28, 2023.

SB350/HB294 Student ID cards to include contact info for certain crisis and suicide prevention lifelines.

Sponsors: Sen. Campbell, Heidi , Rep. Freeman, Bob

Summary: Expands the Save Tennessee Students Act to require public institutions of higher education that issue new student identification cards to students enrolled in the institution to include the telephone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines on the cards. Requires the institutions to post the phone number for the National Suicide Prevention Lifeline and contact information for certain crisis and suicide prevention lifelines in a noticeable place on each campus.

Amendment Summary: House amendment 1 (006012) expands the Save Tennessee Students Act to include public institutions of higher education, requiring such institutions when issuing new student identification (ID) cards purchased by the institutions on or after July 1, 2023 to include on the ID card the telephone number for the 988 Suicide and Crisis Lifeline and the social media handle, telephone number, or text number for at least one additional crisis resource selected by the institution. Clarifies that the crisis resource information does not apply to digital ID cards. Requires such institutions to also post such information in a conspicuous place on each campus operated by the institution. Requires each institution to create and feature a webpage on the institution's website or a mobile application that contains information dedicated solely to the mental health resources available to the institution's students. Further requires each institution to include a strategy to raise awareness of the mental health and crisis support services and resources, that are available to students, faculty, and staff as part of the institution's suicide prevention plan. Requires any Local Education Agency (LEA) that serves grades 6th-12th to update any newly issued ID cards to include the telephone number for the 988 Suicide and Crisis Lifeline rather than the National Suicide Prevention Lifeline.

Senate Status: 04/03/23 - Senate concurred in House amendment 1 (006012).

House Status: 03/23/23 - House passed with amendment 1 (006012).

Executive Status: 05/02/23 - Enacted as Public Chapter 0190 effective July 1, 2023.

SB355/HB1150 Form for reporting student allergy to school.

Sponsors: Sen. Haile, Ferrell , Rep. White, Mark

Summary: Requires the department of education to make the standardized form on which a student with an allergy may report the allergy to the school in which the student is enrolled available to all LEAs on the department's website. Broadly captioned.

Amendment Summary: Senate amendment 2 (006281) requires the Department of Education (DOE) to conduct a statewide needs analysis of preschool education in Tennessee and to report the results on the department's website by March 31, 2024. Requires DOE to establish the Tennessee Preschool Task Force (Task Force). Requires the Task Force to develop a strategic plan for preschool education in the state with recommendations on how to expand preschool opportunities by June 1, 2024. Requires the Task Force to submit the strategic plan and recommendations to the education committees of the Senate and House of Representatives. Requires DOE to implement a pilot program to award grant funds to five local education agencies (LEAs) to implement innovative and high-quality preschool programs in the 2023-24 school year.

Senate Status: 04/19/23 - Senate passed with amendment 2 (006281).

House Status: 04/20/23 - House passed.

*Executive Status:*05/10/23 - Enacted as Public Chapter 0340 effective May 5, 2023.

SB382/HB678 Repeal of Virtual Public Schools Act.

Sponsors: Sen. Niceley, Frank , Rep. Powers, Dennis

Summary: Deletes the provision repealing the Virtual Public Schools Act on June 30, 2023.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0161 effective April 17, 2023.

SB414/HB975 Retired persons returning to work as teach or school bus driver.

Sponsors: Sen. Yarbro, Jeff , Rep. Glynn, Ronnie

Summary: Allows a retired person to work as a substitute teacher or bus driver in addition to the current 120 days limit if employed as a substitute teacher or bus driver in a public school system if the compensation does not exceed the rate of compensation set by the public school system for substitute teachers to fill similar vacancies or exceeds the pertinent pro rata share of average salary at the institution.

Amendment Summary: Senate amendment 1 (004912) restores the requirement that a retired member's new employer pay to TCRS during each period of reemployment the greater of a payment equal to the amount the employer would have contributed to the retirement system had the retired member been a member of the retirement system during the period of reemployment; or an amount equal to 5 percent of the retired member's pay rate for reemployed in a position covered by the retirement system without the loss or suspension of the retired member's TCRS benefits.

Senate Status: 04/13/23 - Senate passed with amendment 1 (004912).

House Status: 04/20/23 - House passed.

*Executive Status:*05/17/23 - Enacted as Public Chapter 0425 effective May 11, 2023.

SB421/HB896 Duties of standards review and development committees and advisory teams.

Sponsors: Sen. Lundberg, Jon , Rep. Hurt, Chris

Summary: Extends, from six years to eight years, the minimum period of time from the last adoption within which the board is required to ensure that the standards review and development committees and advisory teams review the standards for English language arts, mathematics, science, and social studies. Extends, from 73 months to 97 months, the maximum term of a contract made by the state textbook and instructional materials quality commission with a publisher. Broadly captioned.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/03/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0192 effective April 24, 2023.

SB443/HB1271 Access and Opportunity Act.

Sponsors: Sen. Lowe, Adam , Rep. Cochran, Mark

Summary: Enacts the "Access and Opportunity Act" which requires each LEA and public school to provide home school students in good academic standing and students who transfer into the LEA or public school in good academic standing equal access to all academic, arts, or athletic programs, clubs, events, and opportunities offered by the LEA or public school.

Amendment Summary: Senate amendment 1 (004300) revises this bill to apply the provisions to transfer students and home school students, regardless of whether such students are in good academic standing, who enroll or re-enroll in the LEA or public charter school.

Senate Status: 03/06/23 - Senate passed with amendment 1 (004300).

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0165 effective April 17, 2023.

SB466/HB1269 Student pronouns.

Sponsors: Sen. Rose, Paul , Rep. Cochran, Mark

Summary: Employee of a public school or LEA is not required to refer to a student using the student's preferred pronoun if the pronoun is not consistent with the student's biological sex. Insulates a teacher or other employee of a public school or LEA from civil liability and adverse employment action for referring to a student using the pronoun that is consistent with the student's biological sex.

Senate Status: 04/06/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*05/22/23 - Enacted as Public Chapter 0448 effective May 17, 2023.

SB579/HB258 Examinations of school bus drivers and specifications for school buses.

Sponsors: Sen. Pody, Mark , Rep. Moody, Debra

Summary: Changes the entity responsible for requiring annual physical and mental examinations of school bus drivers from the state board of education to the local boards of education. Also changes the entity responsible for revocation of a certificate issued to a school bus driver if the driver is found to be unfit physically, mentally, morally, or if the school bus driver is convicted of certain violations from the state board of education to local boards of education. Requires the department of education to develop the specifications for school buses and to recommend the specifications for school buses to the department of safety. Removes the state board of education from language that prohibits the limiting of use of conventional or Class D school buses by mileage driven. Revises various other provisions to change, from the state board of education to the department of safety, the entity responsible for adopting specifications for school buses.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0122 April 4, 2023.

SB638/HB559 Expansion of student eligibility for an education savings account.

Sponsors: Sen. Lundberg, Jon , Rep. Todd, Chris

Summary: Expands student eligibility for an education savings account (ESA) to include students who were not enrolled, and who did not attend, a Tennessee public school for the one full school year immediately preceding the school year for which the student receives an ESA, but who were enrolled in, and who attended, a Tennessee public school in the 2019-2020, 2020-2021, or 2021-2022 school year, and to include students who are not eligible, for the first time, to enroll in a Tennessee school, but who were eligible, for the first time, to enroll in a Tennessee school in the 2019-2020, 2020-2021, or 2021-2022 school year.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/30/23 - House passed.

Executive Status: 04/25/23 - Enacted as Public Chapter 0171 effective April 17, 2023.

SB644/HB252 Exemption from immunization requirements for home school students.

Sponsors: Sen. Hensley, Joey , Rep. Barrett, Jody

Summary: Removes the requirement that a parent-teacher of a home school student provide proof of the student's immunizations and receipt of health services or examinations required by law generally for children in this state to the local education agency. Exempts home school students from the immunization requirements applicable to students attending a school, nursery school, kindergarten, preschool, or childcare facility.

Amendment Summary: House amendment 1 (003991) removes the requirement that proof must be submitted to the local director of schools that a home school student has been vaccinated or received any other health services or examinations required by law for children in the state unless the home school student participates in a local education (LEA)-sponsored interscholastic activity or event or an LEA-sponsored extracurricular activity.

Senate Status: 04/06/23 - Senate passed.

House Status: 03/02/23 - House passed with amendment 1 (003991).

Executive Status: 05/02/23 - Enacted as Public Chapter 0296 effective April 28, 2023.

SB743/HB459 Individuals prohibited from employment with an educational entity.

Sponsors: Sen. White, Dawn , Rep. Slater, William

Summary: Clarifies that public charter schools and the state board of education are prohibited from employing individuals found by the department of children's services to have committed an act of child abuse, severe child abuse, child sexual abuse, or child neglect, in the same manner as other educational entities such as LEAs. Clarifies that the state board is prohibited from granting, reactivating, or restoring an educator license or temporary teaching permit for such persons. Adds the state board and public charter schools to the list of educational entities to which the department is required to make certain disclosures when one of its employees is alleged to have committed an act of child abuse.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0222 effective April 25, 2023.

SB744/HB529 Revises provisions regarding the automatic revocation of educator licenses.

Sponsors: Sen. White, Dawn , Rep. Slater, William

Summary: Requires the state board of education to automatically revoke an educator's active license without the right to a hearing upon receiving verification of the identity of the teacher or administrator together with a certified copy of a criminal record showing the teacher or school administrator has been convicted of certain specified offenses. Removes provisions related to due process in cases where the educator has been identified by the department of children's services as having committed child abuse, severe child abuse, child sexual abuse or child neglect. Makes other provisions related to the revocation of an educator's active license.

Amendment Summary: House amendment 1 (004195) deletes the provisions of this bill relative to the list of events that trigger the requirement of automatic revocation of the active license of a licensed educator without a hearing and provides, instead, that such an event includes receiving verification of the identity of the educator together with a certified copy of a court order, settlement agreement, or plea agreement in a criminal, civil, or administrative action requiring the educator to surrender their Tennessee license. This amendment requires that unless otherwise stated in the court order, settlement agreement, or plea agreement, the educator's license must be revoked for a period of no less than five years after which the educator may apply for restoration of their license.

Senate Status: 04/13/23 - Senate concurred in House amendment 1 (004195).

House Status: 04/10/23 - House passed with amendment 1 (004195).

Executive Status: 05/02/23 - Enacted as Public Chapter 0267 effective April 28, 2023.

SB773/HB457 Provisions of the Safe Stars Act made applicable to community-organized youth sports and private schools.

Sponsors: Sen. Lamar, London , Rep. Hakeem, Yusuf

Summary: Makes provisions for the Safe Stars Act concerning safety in youth sports applicable to community-organized youth sports and private schools when the sports are high risk, participated in by children aged 14 and younger and conducted on public property. Defines high risk youth athletic activity as an organized sport in which there is a significant possibility for a minor participant to sustain a serious physical injury, including, but not limited to, football, basketball, baseball, volleyball, soccer, hockey, cheerleading and lacrosse. Makes other changes such as the requirement that annual training in physical conditioning and equipment use be completed and that an emergency action plan be established that facilitates, organizes and rehearses the actions of coaches and athletes in an emergency. Does not exempt providers of school youth athletic activities or community-based youth athletic activities from other youth sport-related safety provisions, including the Sudden Cardiac Arrest Prevention Act. Requires certain entities and nonprofits to adhere to these standards and recommends private schools also comply.

Amendment Summary: Senate amendment 1 (004714) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program. Senate amendment 3 (003510) encourages, instead of requires, cities, counties, businesses, and nonprofit organizations that organize a community-based youth athletic activity to comply with the safety standards outlined in this bill. This amendment also provides that such entities shall ensure that at least one individual who is actively involved in organizing, training, or coaching the community-based youth athletic activity has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill, and that at least one individual who has completed, and is in compliance with, the safety standards applicable to coaches and volunteers outlined in this bill is present at each practice and competition of a community-based youth athletic activity, if: (1) Youth 14 or younger are eligible to participate in the community-based youth athletic activity; and (2) The community-based youth athletic activity is conducted on property that is owned, managed, or maintained by this state or a political subdivision. House amendment 2 (007080) revises this bill to delete any reference to "high-risk youth athletic activity" and instead applies the provisions of the bill to any school youth athletic activity and to community-based youth athletic activities when the activity is organized by a city, county, business, or nonprofit organization. This amendment deletes the requirement that all coaches annually complete training in physical conditioning and training equipment use, instead requiring each LEA and public charter school to encourage all coaches, whether employed by the LEA or a volunteer, to annually complete such training to the extent such training is readily available. This amendment further requires that those individuals involved in organizing school youth athletic activities must implement the safety standards.

Senate Status: 04/20/23 - Senate passed with previously adopted amendment 1 (004714) and newly adopted amendment 3 (003510).

House Status: 04/21/23 - House concurred in Senate amendment 3 (003510).

Executive Status: 05/15/23 - Enacted as Public Chapter 0382 effective July 1, 2023.

SB815/HB1144 Duties for transporting children with disabilities on school buses.

Sponsors: Sen. Gardenhire, Todd , Rep. Vital, Greg

Summary: Clarifies that if a new person is designated to check school buses each time a bus returns from transporting children with disabilities to their respective destinations to ensure that all children have left the bus in the interim period between when annual reports are submitted to the LEA, then the name and contact information of the new designee must be submitted within 10 calendar days, instead of just within 10 days. Broadly captioned.

Amendment Summary: Senate amendment 1 (005248) establishes that the registration fee for one school bus owned by a person under contract with a local education agency (LEA), for the provision of transportation services is equal to the fee charged for a school bus owned by a local education agency (LEA).

Senate Status: 04/10/23 - Senate passed with amendment 1 (005248).

House Status: 04/21/23 - House passed.

Executive Status: 05/23/23 - Enacted as Public Chapter 0462 effective July 1, 2023.

SB817/HB1376 Tennessee Higher Education Freedom of Expression and Transparency Act.

Sponsors: Sen. Hensley, Joey , Rep. Ragan, John
Summary: Enacts the "Tennessee Higher Education Freedom of Expression and Transparency Act." Broadly captioned.
Amendment
Summary: Senate amendment 1 (005889) makes the following changes and additions to this bill: (1) Revises some of the legislative findings; (2) Requires an institution to take appropriate steps to correct any violation that is found to have occurred after a report is filed; (3) Replaces the requirement that an institution make reports available for public inspection on the institution's website with a requirement that an institution report violations and any corrective action annually to the comptroller of the treasury through the comptroller's office of research and education accountability; (4) Deletes the requirement that each institution publish a current syllabus for every course offered in the current semester on the institution's website and the requirement to submit data and information pertaining to details on the number of students who completed a program at the institution for the three most recent academic years; (5) Prohibits a public institution of higher education from requiring an applicant for employment or admission to submit a personal diversity statement or to affirm the applicant's agreement with an institutional diversity statement as part of the application or admissions process; (6) Prohibits an institution from approving or using state funds, fees, dues, subscriptions, or travel in conjunction with the membership, meetings, or activities of an organization if participation in such organization requires an individual or an individual's employer to endorse or promote a divisive concept (instead of, if the organization endorses or promotes a divisive concept); (7) Revises the provisions concerning employees of a public institution of higher education whose primary job title includes diversity, equity, or inclusion to require: (A) The institution to ensure that the employee's efforts strengthen and increase intellectual diversity and promote a climate that facilitates the free and respectful exchange of ideas; and (B) The institution to ensure that the employee's duties include efforts devoted to supporting student academic achievement and workforce readiness, such as mentoring, career readiness and support, workforce development, or other related learning support activities necessary for the academic and professional success of all students; and (8) Requires institutions to provide employee training to ensure compliance with the provisions.
Senate Status: 04/05/23 - Senate passed with amendment 1 (005889).
House Status: 04/13/23 - House passed.
Executive Status: 05/02/23 - Enacted as Public Chapter 0268 effective July 1, 2023.

SB834/HB1445 Internet restrictions for public institutions of higher education.

Sponsors: Sen. Lundberg, Jon , Rep. Faison, Jeremy
Summary: Prohibits a public institution of higher education that provides internet access to students, faculty, staff, or the general public from allowing an individual to access a video platform using the institution's network if the video platform is owned by a company headquartered outside of the United States. Broadly captioned.
Amendment
Summary: Senate amendment 1 (004290) rewrites this bill to, instead, prohibit a public postsecondary institution that provides internet access, through a hard-wired or wireless network connection, to students, faculty, staff, or the general public from allowing an individual to access a social media platform using the institution's network if the platform is operated or hosted by a company based in the People's Republic of China. This amendment clarifies that this prohibition does not apply to institutions or employees of such institutions if downloading, accessing, or using such a social media platform is necessary to perform law enforcement activities; investigatory functions to carry out official duties for bona fide law enforcement, investigative, or public safety purposes; or audit, compliance, or legal functions of the institution.
Senate Status: 03/02/23 - Senate passed with amendment 1 (004290).
House Status: 03/23/23 - House passed.
Executive Status: 04/17/23 - Enacted as Public Chapter 0152 effective April 13, 2023.

SB838/HB962 High school course credit without course enrollment.

Sponsors: Sen. White, Dawn , Rep. Slater, William
Summary: Authorizes an LEA to award a high school student credit for a course offered by the LEA's high school if the student attains a qualifying score on the course's final examination without requiring the student to enroll in the course.

Amendment Senate amendment 1 (004984) revises this bill as follows: (1) Changes the term "final exam" to "credit exam," which is defined as a comprehensive assessment designed by an LEA or public charter school that is aligned to the Tennessee academic standards for a course identified by the department of education, and approved by the state board of education, for which there is no end-of-course assessment; (2) Changes the authorization to granting credit for an eligible course from an LEA that operates one or more high schools, to an LEA or public charter school that serves students in any of the grades 9-12; (3) Requires the department of education to recommend to the state board of education for approval a list of eligible courses for which an LEA or public charter school may develop a credit exam. The list of eligible courses must include courses in math, English language arts, science, and social studies. However, the department is authorized to recommend eligible courses in additional subject areas; (4) Authorizes a student to earn a maximum of four graduation credits from credit exams; (5) Deletes the requirement that the department of education must develop guidelines for LEAs to use when setting qualifying scores. Instead, a credit exam developed by an LEA or public charter school must cover the entirety of the Tennessee course standards for the course for which the student may receive credit; (6) Provides that the policy established by an LEA or public charter school for implementation of these provisions must include, at a minimum, when and how credit exams are to be administered to students seeking course credit; the qualifying score for each credit exam administered to students; and the grade that will be included in a student's overall grade point average for the student's achieving the qualifying score on each credit exam administered to the student; and (7) Provides that, upon the request of the education committee of the senate, the education administration committee of the house of representatives, or the education instruction committee of the house of representatives, the department of education must submit a report regarding the implementation of this bill.

Senate Status: 04/03/23 - Senate passed with amendment 1 (004984).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0269 effective April 28, 2023.

SB872/HB736 Academic standards for social studies.

Sponsors: Sen. Akbari, Raumesh , Rep. Love Jr., Harold

Summary: Changes from urges to requires the standards recommendation committee to include certain academic standards regarding the civil rights movement in the committee's final recommendation of academic standards in the subject of social studies for students in grades nine through 12.

Senate Status: 03/02/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0127 effective April 4, 2023.

SB881/HB36 Automatic revocation of a public charter school agreement.

Sponsors: Sen. Akbari, Raumesh , Rep. Hardaway, G.A.

Summary: Revokes a public charter school agreement if the public charter school receives priority school identification for two consecutive cycles based on an evaluation of no less than three years of schools' performance data. Prohibits the 2022 list of priority schools from applying towards the two consecutive cycles requirement.

Amendment House amendment 1 (004641) makes the following changes and additions to this bill and present law concerning charter schools
Summary: that are identified as priority schools: (1) Prohibits both the 2022 and 2023 priority school list from being considered as one of the priority school cycles required for automatic revocation of a public charter school agreement; (2) Removes the provision that limits application of the automatic revocation requirement to situations where each of the two consecutively issued priority school lists identify priority schools based on an evaluation of no less than three consecutive years of all schools' performance data; and (3) Prohibits application of the present law permissive revocation provision, whereby an authorizer may revoke a public charter school agreement if the public charter school receives identification as a priority school for any single year, based on the public charter school being identified as a priority school on the priority school list issued in 2022 or 2023.

Senate Status: 04/12/23 - Senate passed.

House Status: 04/06/23 - House passed with amendment 1 (004641).

Executive Status: 05/02/23 - Enacted as Public Chapter 0290 effective April 28, 2023.

SB884/HB1295 Report on the academic performance of historically underserved student groups.

Sponsors: Sen. Akbari, Raumesh , Rep. Camper, Karen

Summary: Requires the commissioner of education to report on the academic performance of historically underserved student groups to the education committee of the senate and the education administration and education instruction committees of the house of representatives by January 31 of each year. Broadly captioned.

Amendment House amendment 1 (006404) rewrites this bill to require the department of education to conduct a study of best practices in other states for the use of ninth grade "on-track" indicators in state accountability systems to prevent students from dropping out of high school; no later than January 31, 2024, submit a report of the outcomes of the study to the education committee of the senate and the education administration committee of the house of representatives; and publish the report on the department's website. The study must include, but is not limited to, research into how states: (1) Define "on-track" high school success; (2) Develop specific indicators to identify students who are at risk of dropping out of high school; (3) Develop and use statewide dropout early warning systems in the middle school and high school grades; (4) Utilize methods to publicly report relevant data regarding "on-track" high school success indicators and outcomes; (5) Set goals and monitor how many students remain "on track" in ninth grade in alignment with statewide graduation goals; and (6) Provide supports and guidance to schools and districts to improve and increase the number of ninth grade students who are "on track."

Senate Status: 04/12/23 - Senate passed.

House Status: 04/10/23 - House passed with amendment 1 (006404).

Executive Status: 05/02/23 - Enacted as Public Chapter 0322 effective April 28, 2023.

SB906/HB1357 Full teacher salary if missed duties due to violent criminal act.

Sponsors: Sen. Niceley, Frank , Rep. Farmer, Andrew

Summary: Requires an LEA to pay a teacher their full salary, in addition to their full benefits, if the teacher is absent from assigned duties as the result of a personal injury caused by a physical assault or other violent criminal act committed against the teacher in the course of the teacher's employment activities, with certain limitations and exceptions.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0343 effective July 1, 2023.

SB966/HB663 Scholars Summer Guide on the school's website.

Sponsors: Sen. Powers, Bill , Rep. Hicks, Tim

Summary: Requires that the Scholars Summer Guide, which is given to each student in grades kindergarten through eight prior to the last day of the school year, to be made available on the school's website. Broadly captioned.

Amendment House amendment 1 (005818) adds that a determination made by a local board of education or public charter school governing body that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, will trigger the requirement that the school remove the material from the library collection in the same manner as if the determination was made by an LEA or public charter school.

Senate Status: 04/20/23 - Senate concurred in House amendment 1 (005818).

House Status: 04/19/23 - House passed with amendment 1 (005818).

Executive Status: 05/23/23 - Enacted as Public Chapter 0472 effective May 17, 2023.

SB967/HB662 Website version of high school scholar's prep guide.

Sponsors: Sen. Powers, Bill , Rep. Hicks, Tim

Summary: Requires the scholars prep guide, which is provided to each high school student in grades nine through 12 upon registering for a course, to be available to students on the school's website. Broadly captioned.

Amendment Senate amendment 1 (006664) requires each local education agency (LEA) to maintain a notice of deleted policies on file at the LEA's central office. Establishes that if a person holds an active industry license or credential relevant to a career and technical education (CTE) course as determined by the Department of Education (DOE), then the person may provide instruction to students in the CTE course as long as the instruction provided by the person is supervised at all times by a licensed teacher who serves as the teacher of record for the course. Establishes that a person providing instruction to students in a CTE course is subject to investigation.

Senate Status: 04/12/23 - Senate passed with amendment 1 (006664).

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0344 effective July 1, 2023.

SB971/HB782 Financial literacy education for elementary and middle schools.

Sponsors: Sen. Powers, Bill , Rep. White, Mark

Summary: Requires at least one grade level in each public elementary and middle school to schedule five days during each school year to highlight age-appropriate financial literacy concepts, either inside or outside of the classroom. Specifies that the financial literacy concepts must include, at a minimum, earning income, spending, saving, managing credit, and investing. Requires the department of education, in consultation with the Tennessee financial literacy commission, to develop guidance to assist public elementary and middle schools in implementing this requirement.

Amendment House amendment 1 (005325) rewrites this bill to require, upon the request of the commission, each public elementary and middle school, or each LEA on behalf of the schools, to provide information to the commission or department of education about the financial literacy education provided to elementary and middle school students during the school year.

Senate Status: 04/12/23 - Senate passed.

House Status: 03/23/23 - House passed with amendment 1 (005325).

Executive Status: 05/02/23 - Enacted as Public Chapter 0310 effective April 28, 2023.

SB972/HB995 Corporal punishment for students with disabilities.

Sponsors: Sen. Powers, Bill , Rep. Stevens, Robert

Summary: Clarifies that a communication made in an electronic format in which a parent of a child with a disability gives permission for the use of corporal punishment against the child constitutes permission given in writing such that the chief administrative officer, or the chief administrative officer's designee, may administer such corporal punishment to the child in accordance with the LEA's discipline policy.

Amendment Senate amendment 1 (006314) rewrites this bill to revise present law relative to corporal punishment. Under present law, a teacher or school principal may use corporal punishment in a reasonable manner against a pupil for good cause in order to maintain discipline and order within the public schools. However, teachers, school principals, or other school personnel are prohibited from using corporal punishment against a student who has a disability, unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. This amendment adds that, prior to the administration of corporal punishment against a student, the student's teacher or school principal must document in the student's educational record that they have: (1) Acted to address the student's behavior; (2) Provided consequences to the student to address the behavior; (3) Consulted with the student's parent or legal guardian about the student's behavior; and (4) Considered the need to conduct an initial evaluation to determine whether the student has a disability in accordance with the Individuals with Disabilities Education Act, state law, and the state board of education's rules. This amendment also provides that if, as a result of the evaluation provided in (4), a student is found to have a disability, then corporal punishment may only be administered against the student if authorized in accordance with the present law described above.

Senate Status: 04/12/23 - Senate passed with amendment 1 (006314).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0275 effective April 28, 2023.

SB980/HB1086 Revises various provisions relative to charter schools.

Sponsors: Sen. Gardenhire, Todd , Rep. Baum, Charlie

Summary: Revises various provisions relative to charter schools including the performance, grade bands, enrollment of students residing outside the geographic boundaries of the LEA, economically disadvantaged students, and revoking of a public charter school agreement.

Amendment House amendment 1 (005134) incorporates the changes made by Senate Amendment 1 and makes the following changes to this bill: (1) Conditions the provision that allows a public charter school to enroll students residing outside the geographic boundaries of the LEA in which said school is located if capacity is available to a public charter school with an authorizer that has a policy allowing out-of-district enrollment; and (2) Provides, however, that if a public charter school's authorizer has a policy that prohibits out-of-district enrollment, then the public charter may request to adopt an out-of-district enrollment policy through the waiver process. However, the waiver request may only be submitted to the public charter school's authorizer for approval. House amendment 2 (006205) revises the provisions concerning preferences for admission to public charter schools, so that preferences will only be authorized for: (1) Students who are economically disadvantaged, which means, as defined in Tennessee's Every Student Succeeds Act plan, a homeless, foster, runaway, or migrant student or a student eligible for free or reduced-price school meals or milk through the direct certification eligibility guidelines established pursuant to federal law; and (2) Children of the public charter school's employees or the children of a member of the public charter school's governing body, not to exceed 10 percent of the public charter school's total enrollment or 25 students, whichever is less. This amendment specifies that an enrollment lottery preference may apply to all children described in (1).

Senate Status: 04/03/23 - Senate concurred in House amendment 1 (005134) and House amendment 2 (006205).

House Status: 03/20/23 - House passed with amendment 1 (005134) and amendment 2 (006205).

Executive Status: 05/02/23 - Enacted as Public Chapter 0206 effective April 24, 2023.

SB987/HB680 Elective credit for released time courses.

Sponsors: Sen. Yager, Ken , Rep. Powers, Dennis

Summary: Increases the credit amount a student may earn, from half a unit to one unit of credit, for work completed in a released time course.

Senate Status: 03/20/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0130 effective July 1, 2023.

SB1069/HB826 Annual report on school security deficiencies.

Sponsors: Sen. Hensley, Joey , Rep. Gillespie, John

Summary: Requires the chief law enforcement officer of each law enforcement agency with jurisdiction of a school that utilizes armed school security officers to submit an annual report to the governor, house education administration committee chair, senate education committee chair, and the commissioner of education that details any school security deficiencies and any recommendations for security improvements on or before September 1.

Amendment Summary: Senate amendment 1 (004977) rewrites this bill to provide that a director of schools, or a director's designee, is not required to assign a student in grades 7-12 who has been suspended for more than 10 days or expelled from the regular school program for an offense of violence or threatened violence, or an offense that threatened the safety of persons attending or assigned to the student's school, to an alternative school or alternative program if the director of schools, or the director's designee, determines that assigning the student to the alternative school or alternative program may endanger the safety of the students or staff of the alternative school or alternative program.

Senate Status: 04/12/23 - Senate passed with amendment 1 (004977).

House Status: 04/17/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0279 effective April 28, 2023.

SB1070/HB897 Submission of annual report on the Schools Against Violence in Education (SAVE) Act.

Sponsors: Sen. Hensley, Joey , Rep. Hurt, Chris

Summary: Authorizes the commissioner of education to submit the annual report on the Schools Against Violence in Education (SAVE) Act to the governor and the general assembly in an electronic format. Broadly captioned.

Amendment Summary: Senate amendment 1 (004964) rewrites this bill to revise present law relative to temporary teaching permits. Under present law, the physical education classes required by law for elementary and secondary education must be taught by a licensed teacher with an endorsement in physical education or by a specialist in physical education. However, upon the request of a director of schools or the director of a public charter school, present law authorizes the commissioner of education to issue an endorsement exemption to a teacher or a temporary permit to a person to teach any course or subject area, except for special education courses, for the 2021-2022 school year, and an endorsement exemption to a teacher to teach any course or subject area, except a physical education class required under law or a special education course, for the 2022-2023 and 2023-2024 school years. This amendment adds that, upon a request of a director of schools or the director of a public charter school, the commissioner of education may issue an endorsement exemption to a teacher, in accordance with state board rules, to teach a physical education class required by law to elementary school students. A director of schools or the director of a public charter school who applies for an endorsement exemption to teach must certify to the commissioner that the LEA or public charter school is unable to secure a qualified teacher for the physical education class. An endorsement exemption is valid only until June 30 following the date of the permit's issuance.

Senate Status: 04/12/23 - Senate passed with amendment 1 (004964).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0280 effective April 28, 2023.

SB1155/HB892 Director of schools notification regarding criminal conduct on school property.

Sponsors: Sen. Stevens, John , Rep. Reedy, Jay

Summary: Adds the director of schools as a person to whom a principal must report the principal's direct knowledge of an offense of assault and battery or vandalism committed by a student on school property endangering the life, health, or safety of others; expands the educator's bill of rights to include the educator's right to report an offense of assault and battery or vandalism committed by a student on school property and the educator's right to receive benefits if the educator is a teacher who is absent from their assigned duties due to injuries caused by a criminal act committed against the teacher in the course the teacher's employment activities. Broadly captioned.

Senate Status: 03/20/23 - Senate passed.

House Status: 03/23/23 - House passed.

Executive Status: 04/17/23 - Enacted as Public Chapter 0153 effective April 13, 2023.

SB1208/HB1261 Notification to parents regarding child's eligibility for an individualized education account.

Sponsors: Sen. White, Dawn , Rep. Moody, Debra

Summary: Requires the department of education, in administering the individualized education account program, to develop and implement a process for notifying all parents of their children's potential eligibility for an individualized education account, instead of only ensuring lower-income families are so notified. Requires the department to report whether the process increased student participation in the program to the education committee of the senate and the education administration committee of the house of representatives by January 31 of each year.

Amendment House amendment 1 (006063) in administering the Individualized Education Account (IEA) Program, requires the Department of Education (DOE) to develop and implement a process to notify parents of all children, as opposed to only lower income families, of the child's potential eligibility to participate in the program and to notify the Education Committee of the Senate and the Education Administration Committee of the House of Representatives on the process that the department develops.

Senate Status: 04/13/23 - Senate passed.

House Status: 04/06/23 - House passed with amendment 1 (006063).

Executive Status: 05/02/23 - Enacted as Public Chapter 0321 effective April 28, 2023.

SB1220/HB432 Tennessee Future Teacher Scholarship Act of 2023.

Sponsors: Sen. White, Dawn , Rep. White, Mark

Summary: Requires the Tennessee student assistance corporation to administer a five-year pilot program to award Tennessee Future Teacher scholarships to students pursuing a teaching degree at an eligible postsecondary institution who meet certain requirements and who agree to teach in a targeted setting for at least four years after the student completes an approved educator preparation program.

Amendment House amendment 1 (005381) enacts the "Tennessee Future Teacher Scholarship Act of 2023." Requires the TSAC to

Summary: administer a five-year pilot program to award a Tennessee Future Teacher scholarship to future educators with the pilot program beginning with the 2023-2024 academic year and terminating on July 1, 2028. Details eligibility for the scholarship with time frames and transferability from an eligible postsecondary institution to another. Details funding and rules of funding the scholarship.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (005381).

Executive Status: 05/15/23 - Enacted as Public Chapter 0381 effective May 11, 2023.

SB1221/HB424 Educator preparation provider licensure requirements.

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert

Summary: Allows a teacher with a temporary permit to satisfy the clinical experience required by the state board of education for licensure if the teacher receives guidance, evaluations, and instructions for an educator for an amount of time that is at least equal to the amount of time required for a candidate to meet the clinical experience requirements and meets the same evaluation requirements from an educator.

Amendment Senate amendment 1 (005010) rewrites this bill to provide the following: (1) The commissioner of education is authorized to grant, on behalf of the state board of education, under the conditions prescribed by the state board's rules, an individual pursuing clinical experience in an educator preparation program (EPP) who meets the requirements of this bill, a temporary permit to teach in a teaching position in which an LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; (2) To be eligible to receive a temporary permit pursuant to (1): (A) An individual must be enrolled in an EPP and have completed all of the coursework in the program except for the clinical experience required pursuant to present law provisions governing teacher training, and submit with the individual's application for a temporary permit a letter of recommendation from the EPP in which the individual is enrolled; (B) A director of schools or a director of a public charter school must submit a conditional offer of employment made by the respective director of schools or the director of the public charter school for the individual to fill a position for which the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists; and (C) The conditional offer of employment must include a certification by the director of schools or the director of the public charter school that the director has notified the commissioner of the LEA's or public charter school's inability to fill the vacancy and its intent to employ the individual pursuant to a temporary permit; (3) The commissioner is authorized to grant an individual a temporary permit authorizing the individual to teach a course requiring an end-of-course examination to satisfy the graduation requirements established by the state board if the individual demonstrates sufficient content knowledge in the course material by taking and passing, at the teacher's own expense, a standardized or criterion-referenced test for the content area; (4) The commissioner is prohibited from granting an individual a temporary permit to teach a physical education class required under present law provisions for elementary and secondary education, or a special education course; (5) A temporary permit is valid only until June 30 following the date of the permit's issuance and is prohibited from being renewed; (6) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in present law provisions requiring automatic revocation of teacher's or administrator's license, is required to report the conviction to the state board; (7) The state board is required to set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit, and the state board is authorized to specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense; (8) A director of schools or a director of a public charter school is required to report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules; and (9) The state board of education is required to promulgate rules to effectuate this bill.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005010).

House Status: 04/17/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0284 effective April 28, 2023.

SB1231/HB1232 Training school for grades pre-kindergarten through 12 to provide practice teaching experience.

Sponsors: Sen. White, Dawn , Rep. Hemmer, Caleb

Summary: Authorizes a local board of education to contract with a private college or university accredited by the Southern Association of Colleges and Schools Commission on Colleges to maintain a training school for grades pre-kindergarten through 12 to provide practice teaching experience for teachers in training. Broadly captioned.

Amendment Summary: Senate amendment 1 (004818) makes the following changes to this bill: (1) Requires that the private college or university contracting with the local board of education have its primary campus domiciled in this state; (2) Requires that training schools meet the same requirements established by law and the state board's rules for public schools; (3) Allows a college or university that has entered into a contract with a local board of education pursuant to this bill to receive all state and federal funds received by the local board of education as a result of this contract for the operation of the training school, including TISA allocations and any other funds that may be allocated for the operation of public schools of this state; and (4) Clarifies that training schools are eligible to receive grants and other funds in the same manner as the public schools in this state.

Senate Status: 04/10/23 - Senate passed with amendment 1 (004818).

House Status: 04/20/23 - House passed.

*Executive Status:*05/17/23 - Enacted as Public Chapter 0435 effective May 11, 2023.

SB1237/HB306 Private school policies regarding participation in school athletics based on sex.

Sponsors: Sen. Hensley, Joey , Rep. Bulso, Gino

Summary: Authorizes a private school to create a policy to regulate a student's participation in the school's athletic activities or events based upon a student's biological sex. Broadly captioned.

Amendment Summary: Senate amendment 1 (005942) rewrites this bill to provide that a student enrolled in a private school in this state is only eligible to participate in an interscholastic athletic activity or event, where membership in the Tennessee Secondary School Athletic Association is required, in accordance with the student's immutable biological sex as determined by anatomy and genetics existing at the time of birth. This requirement does not prohibit a female student from participating on a team designated for male students if the school does not offer a separate team for female students in that sport.

Senate Status: 04/13/23 - Senate passed with amendment 1 (005942).

House Status: 04/17/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0285 effective April 28, 2023.

SB1268/HB1324 Posting of toll-free number for reports of child abuse.

Sponsors: Sen. Akbari, Raumesh , Rep. Camper, Karen

Summary: Requires each elementary and secondary school to post the toll-free telephone number operated by the department of children's services to receive reports of child abuse or neglect on the homepage of the school's website. Broadly captioned.

Amendment Summary: Senate amendment 1 (007032) rewrites this bill to revise present law concerning participation in school board meetings by electronic participation. Under present law, a school board member may participate in a school board meeting electronically if the member is absent because the member is required to be out of the county in which the LEA is located for the member's work, the member is dealing with a family emergency as determined by the LEA, or because of the member's military service. Present law generally limits to two per year the number of school board meetings in which a school board member may participate electronically. This amendment expands the reasons for which a school board member may participate in a board meeting electronically to the following: (1) The member is out of the county due to work; provided, that the member participates electronically for such reason no more than two times per year; (2) The member is sick or in a period of convalescence on the advice of a healthcare professional that the member not appear in person; provided, that the member participates electronically for such reason no more than three times per year; (3) The member is out due to inclement weather or natural disaster if the schools in the LEA are closed; provided, that the member participates electronically for such reason no more than three times per year; (4) The member has a family emergency that inhibits the member from attending the board meeting in person; provided, that the member participates electronically for such reason no more than two times per year; or (5) The member is out of the county due to military service.

Senate Status: 04/13/23 - Senate passed with amendment 1 (007032).

House Status: 04/19/23 - House passed.

*Executive Status:*05/10/23 - Enacted as Public Chapter 0350 effective May 5, 2023.

SB1303/HB1199 Annual report on data concerning scholarship and grant programs.

Sponsors: Sen. Bailey, Paul , Rep. Williams, Ryan

Summary: Changes the timeline, from October 1 to October 15, by which the Tennessee Higher Education Commission must submit its annual report on its findings regarding data concerning scholarship and grant programs.

Amendment Summary: Senate amendment 2 (006026) extends eligibility for tuition reimbursements provided to members of the Tennessee National Guard under the STRONG Act of 2017 to include Lincoln Tech (formerly Nashville Auto Diesel College) for members who completed initial active-duty training in April of 2022 and were enrolled in the college beginning August 2022 and submitted a timely application for tuition reimbursement. Sets forth limitations and conditions on eligibility for the tuition reimbursement. The expansion is repealed on July 1, 2024.

Senate Status: 04/21/23 - Senate passed with amendment 2 (006026).

House Status: 04/21/23 - House passed.

Executive Status: 05/23/23 - Enacted as Public Chapter 0485 effective May 17, 2023.

SB1408/HB957 Charging of tuition and fees for dual enrollment students.

Sponsors: Sen. Jackson, Ed , Rep. Slater, William

Summary: Prohibits eligible public postsecondary institutions from charging a student receiving a dual enrollment grant any tuition or fees in excess of the grant award. Allows eligible postsecondary institutions to charge a student receiving a dual enrollment grant costs that are incurred by the institution on the student's behalf, including book costs and examination fees.

Senate Status: 02/27/23 - Senate passed.

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0227 effective July 1, 2023..

SB1438/HB695 Amount of the occupational educator scholarship awarded to prospective educators.

Sponsors: Sen. Roberts, Kerry , Rep. Barrett, Jody

Summary: Authorizes the occupational educator scholarship to cover the cost of tuition and mandatory fees at the attended postsecondary institution after all other gift aid is credited.

Senate Status: 03/30/23 - Senate passed.

House Status: 03/30/23 - House passed.

Executive Status: 04/25/23 - Enacted as Public Chapter 0181 effective July 1, 2023.

SB1443/HB727 Parental consent prior to student receiving instruction through the LEA's family life curriculum.

Sponsors: Sen. Roberts, Kerry , Rep. Fritts, Monty

Summary: Requires a student's parent or legal guardian, or the student if the student has reached the age of majority, to provide a written, informed, and voluntarily signed consent to the student's LEA before the student may receive instruction through the LEA's family life curriculum, participate in a survey, analysis, or evaluation, or receive health services provided through a coordinated school health program. Broadly captioned.

Amendment Summary: Senate amendment 1 (006523) makes the following changes to this bill: (1) Clarifies that the LEA is not required to obtain the written, informed, and voluntary signed consent of a student's parent or legal guardian if the full survey, analysis, or evaluation is related to classroom instruction of a curriculum and the survey, analysis, or evaluation is distributed to the students as a method of evaluating the effectiveness and instructional curriculum; (2) Changes the requirements established for a student to receive family life instruction under this bill to, instead, be the requirements for a student to receive instruction of a sexual orientation or gender identity curriculum; and (3) Prohibits a school from allowing a student to become a member of a club or organization, or allowing a student to participate in any activity of a club or organization unless the student's parent or legal guardian first provides written consent to the student's membership or participation in a dated, written consent. Senate amendment 3 (007605) makes the following revisions: (1) Makes the provisions relative to becoming a member of a club or organization apply only to minor students, which are students who are not 18 or older; and (2) Replaces present law provisions pertaining to a coordinated school health program with the requirement that a parent or legal guardian who wishes to excuse the parent's or legal guardian's student from participating in a health screening provided as part of a coordinated school health program must submit a request in writing to the student's nurse, instructor, school counselor, or principal. This amendment defines "health services" as including vision, dental, blood pressure, and hearing screenings.

Senate Status: 04/17/23 - Senate passed with amendment 1 (006523) and amendment 3 (007605).

House Status: 04/19/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0353 effective July 1, 2023.

ENTERTAINMENT

SB3/HB9 Adult cabaret performances - prohibitions.

Sponsors: Sen. Johnson, Jack , Rep. Todd, Chris

Summary: Creates an offense for a person who engages in an adult cabaret performance on public property or in a location where the adult cabaret performance could be viewed by a person who is not an adult.

Amendment House amendment 1 (003810) creates a Class A misdemeanor offense for a person to perform adult cabaret entertainment on public property or in a location where the adult cabaret entertainment could be viewed by a person who is not an adult.

Summary: Establishes that a second or subsequent such offense is a Class E felony. Effective April 1, 2023.

Senate Status: 03/02/23 - Senate concurred in House amendment 1 (003810).

House Status: 02/23/23 - House passed with amendment 1 (003810).

Executive Status: 03/07/23 - Enacted as Public Chapter 0002 effective April 1, 2023.

FAMILY LAW

SB244/HB62 Compensation provisions for teachers in a special school district removed.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Removes provisions requiring teachers in the special school district to be compensated at a rate of one tenth times twelve of the annual compensation in effect in the county in which the respective youth development center and other facilities deemed appropriate by the commissioner out of the state appropriations made to the youth development centers. Part of Administration Package.

Amendment Senate amendment 1 (003698) requires each teacher in the special school district to: 1) receive an annual compensation rate at the start of the teacher's employment in the special school district that is no less than the average annual compensation rate for teachers in the county in which the respective youth development center is located; 2) be eligible for merit pay, salary increases, bonuses, and other benefits implemented after July 1, 2023, in the same manner as other preferred service employees if the teacher in has completed an annual performance review cycle on or before July 1, 2023; and (3) be eligible for longevity pay. Establishes that this section is not to be construed to reduce the compensation currently paid to a teacher in the special school district.

Summary:

Senate Status: 02/27/23 - Senate passed with amendment 1 (003698).

House Status: 03/13/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0084 effective July 1, 2023.

SB247/HB65 Periodic review of child support guidelines.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Changes the department's periodic review of the child support guidelines from every three years from the date of promulgation to every four years. Part of Administration Package.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/02/23 - House passed.

Executive Status: 03/20/23 - Enacted as Public Chapter 0040 effective March 14, 2023.

SB264/HB312 Documents related to parental rights proceedings.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Makes various changes in regard to maintaining and securing documents in certain parental rights proceedings and the grounds for termination of parental rights. Includes documents from the court where the adoption was filed, the offices of a licensed child-placing agency, the offices of a licensed clinical social worker, the department of health, and the department of children's services. Part of Administration Package.

Senate Status: 03/23/23 - Senate passed.

House Status: 04/17/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0253 effective July 1, 2023.

SB270/HB318 Services from other states and agencies to be included in foster care services.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Requires the department of children's services to include a list of services available from other state programs or agencies for a child in foster care. Part of Administration Package.

Amendment Senate amendment 2 (006190) changes this bill's effective date to July 1, 2023, and adds new sections to this bill that revise present law provisions governing adoption and foster care, as described below. ILLEGAL PAYMENTS IN CONNECTION WITH PLACEMENT OF CHILD Under present law, it is unlawful for a person, corporation, agency, or other entity other than the department of children's services or any of its divisions or units ("department") or a licensed child-placing agency or licensed clinical social worker that is subject to regulation by the department, to charge or receive from or on behalf of any person or persons legally adopting or accepting a child for adoption any remuneration, fee, contribution, or thing of value whatsoever, for rendering any service in connection with the placement of such child for adoption or in connection with the placement of such child for foster care or adoption with one other than the child's parent or parents other than allowed by law. Present law further

Summary:

provides that: (1) The above provision does not prohibit the payment by any interested person of reasonable charges or fees for hospital or medical services for the birth of the child, or for medical care and other reasonable birth-related expenses for the mother or child incident thereto, for reasonable counseling fees for the parents or prospective adoptive parents or child, for reasonable legal services or the reasonable costs of legal proceedings related to the adoption of any child or for reasonable, actual expenses for housing, food, maternity clothing, child's clothing, utilities or transportation for a reasonable period not to exceed 90 days prior to or 45 days after the birth or surrender or parental consent to the adoption of the child, unless a court with jurisdiction for the surrender or adoption of a child, based upon detailed affidavits of a birth mother and the prospective adoptive parents and such other evidence as the court may require, specifically approves in a written order, based upon a motion filed by the prospective adoptive parents for that purpose, any expenses specifically allowed in this provision for a period prior to or after the periods noted above; and (2) Such expenses must be incurred directly in connection with the maternity, birth, or placement of the child for adoption, or for legal services or for costs of legal proceedings directly related to the adoption of the child, or for counseling for a period of up to one year for the parent who surrenders the child or consents to the adoption of the child; This amendment revises (1) above by changing the reasonable period to the duration of the pregnancy and 90 days after the birth or surrender or parental consent to the adoption of the child; and revises (2) by increasing the counseling period from up to one year, to up to two years. **SURRENDER OF CHILD** Present law requires all surrenders to be made in chambers before a judge of the chancery, circuit, or juvenile court except as provided in law, and requires the court to advise the person surrendering the child of the right of revocation of the surrender and time for the revocation and the procedure for such revocation. This amendment revises this provision to authorize, at the court's discretion, a surrender to be made in chambers or over a virtual video platform on which the court sees the person surrendering the child. Under present law, a Tennessee surrender form must contain statements by the surrendering party, acknowledging that the person knows: (1) That the person should only sign the form if the person wants the person's parental rights terminated; (2) That, if the person wants to talk to the person's lawyer before signing the form, then the person should tell the judge or other official, and the surrender process will stop; and (3) That the person can talk to the person's lawyer and then decide if the person still wants to end the person's parental rights. This amendment adds to the above list, that a Tennessee surrender form must also contain a statement by the surrendering party acknowledging the following: (1) That the person understands, if the person does not have a lawyer, that the person is free to go obtain a lawyer and the surrender process will stop until the person has done so; and (2) That the judge or other official has also advised the person that once their child is born, the person is still free to obtain their own lawyer, who the person can consult with prior to and during any reaffirmation of this surrender. Present law prohibits any surrender or parental consent that is made prior to the birth of a child from being valid, except in certain cases where the person executing the surrender resides in another state or territory of the United States. This amendment revises the above provision to instead: (1) Authorize a surrender or parental consent to be made at any time prior to birth, but a surrender or parental consent made prior to the birth of a child must not be filed with the clerk of court until after the birth of the child and until the surrendering party or parties have filed a written reaffirmation of their desire to surrender the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States; (2) Require, at the time of taking a parental consent prior to the birth of the child, the judge to explain to the consenting parent the legal effect of signing the document, the time limit for withdrawal of the consent, and the procedures for withdrawal of the consent; and (3) Require any surrender or parental consent made prior to the birth of a child to be reaffirmed within three calendar days of the birth of the child, except in certain cases where the person executing the surrender resides in another state or territory of the United States. Present law generally prohibits from being valid, any surrender or parental consent that is made within three calendar days subsequent to the date of the child's birth, such period to begin on the day following the child's birth. This amendment revises this provision to, instead, prohibit any surrender or parental consent from being valid, unless made after the earlier of discharge from a hospital or other birthing facility or 48 hours following the child's birth. **FINAL ORDER OF ADOPTION** Unless the child is related to the petitioners, present law prohibits a final order of adoption from being entered before the home study has been filed with the court and before the petition has been on file at least six months and before a final court report is filed with the court, except when the order is based upon a petition for readoption. This amendment adds to this provision that the court is authorized, considering the petition as a whole, to deem it in the best interest of the child to reduce the waiting period to three months. Under present law, if the child has already resided in the home of the petitioners for six months, the court has received the final court report concerning the circumstances of the child and the petitioners, and is satisfied that the adoption will be in the best interest of the child, then the court is authorized to waive the six-month waiting period after the filing of the adoption petition and may enter an order of adoption. This amendment revises this provision by lowering six months to three months. **AVAILABILITY OF RECORDS TO ADOPTED AND CERTAIN OTHER PERSONS FOR ADOPTIONS FINALIZED OR ATTEMPTED PRIOR TO CERTAIN DATES** This amendment: (1) Prohibits any identifying information from the sealed records, sealed adoption records, or post-adoption records from being released if: (A) The biological parent of the adopted person has executed a request for redaction of identifying information; and (B) The adopted person was less than six months old at the time the request was executed; (2) Requires such request for redaction to be made on a form created by the department of children's services, and (3) Provides that such request may only be rescinded by submission of a sworn, notarized statement requesting such rescission, and that the rescission is effective upon the department's acknowledgment of receipt of the rescission. **FOSTER CARE** This amendment requires: (1) The department of children's services: (A) To strive to identify and finalize a safe, stable, and permanent home for children in the custody of the department; and (B) To permit the foster parent or parents a period of respite for up to six months, free from placement of foster children in the family's home with follow-up contacts by the agency occurring at a minimum of every three months, without threat of reprisal; and (2) The foster parent or parents to provide reasonable notice, as determined by the department, to the department for

Senate Status: 04/06/23 - Senate passed with amendment 2 (006190).
House Status: 04/06/23 - House passed.
Executive Status: 05/02/23 - Enacted as Public Chapter 0187 effective July 1, 2023.

SB332/HB91 Child or family receiving services from DCS - confidentiality of records.

Sponsors: Sen. Lowe, Adam , Rep. Russell, Lowell
Summary: Allows the department of children's services to disclose information about a case to the public if all parties involved in the case, including the child, are deceased and all identifying personal information of the parties is redacted.
Amendment House amendment 1 (003760) authorizes the Department of Children's Services (DCS) to disclose to the public information about
Summary: a case, so long as parties are deceased and identifying information is redacted.
Senate Status: 04/05/23 - Senate passed.
House Status: 02/27/23 - House passed with amendment 1 (003760).
Executive Status: 05/02/23 - Enacted as Public Chapter 0292 effective April 28, 2023.

SB528/HB551 Makes various revisions to adoption law.

Sponsors: Sen. Haile, Ferrell , Rep. Littleton, Mary
Summary: Makes various changes to adoption law, including reducing the waiting period before finalization of adoption in certain circumstances, kinship foster care options, birth-related expenses, and required home study. Broadly captioned.
Amendment House amendment 2 (006775) clarifies that payments made by a person interested in the adoption of a child to the child's mother
Summary: and child may be used for in person or virtual counseling. Authorizes the Department of Children's Services (DCS) to file written motions for the transfer of custody of a child. Authorizes the court to waive the three day revocation period if the birth parent is represented by an attorney when surrendering a child. Permits the termination of parental rights to be based on the parent having been charged or convicted of a rape from which the child was conceived. Requires DCS to file a petition to terminate parental rights within 90 days of a severe child abuse finding. Authorizes DCS to file a petition to terminate parental rights if a parent has not made reasonable progress toward obtaining custody during a six-month period where the child has been in foster care. Authorizes a petitioner or respondent to request an expedited case for termination of parental or guardianship rights if a case has not been completed within 90 days from when the petition was served. Requires a biological father to waive their parental rights prior to an adoption if that father has paid financial support to the child or child's mother, or if he has made a court filing or appearance consistent with the claim of paternity, or if he has openly lived with the child and held himself out as the father of the child. Decreases, from one year to nine months, the length of time a trial court has to overturn an adoption. Requires DCS to prioritize efforts to locate kinship foster care placement for a child at least 30 days after the child's removal from their home. Requires DCS to create and implement eligibility standards for temporary kinship placements. Makes various changes to who may attend foster parent hearings. Requires DCS to accept home studies performed by licensed child-placing agencies or licensed clinical social workers within the previous two years as a valid home study.
Senate Status: 04/12/23 - Senate concurred in House amendment 2 (006775).
House Status: 04/06/23 - House passed with amendment 2 (006775).
Executive Status: 05/02/23 - Enacted as Public Chapter 0263 effective July 1, 2023.

SB532/HB552 Goal of department of children's services.

Sponsors: Sen. Haile, Ferrell , Rep. Littleton, Mary
Summary: Specifies that the goal of the department of children's services is to act in the best interest of the child at all times. Requires such goal to be reflected in any mission statement or motto established by the department. Broadly captioned.
Senate Status: 04/06/23 - Senate passed.
House Status: 03/30/23 - House passed.
Executive Status: 05/02/23 - Enacted as Public Chapter 0305 effective April 28, 2023.

SB534/HB164 Voluntary delivery of infant - care by authorized nonprofit licensed child-placing agency.

Sponsors: Sen. Haile, Ferrell , Rep. Butler, Ed
Summary: Requires the department of children's services to designate an authorized nonprofit licensed child-placing agency to assume physical care, custody, and control of an infant voluntarily left at certain facilities or in a newborn safety device. Specifies that the court may waive the six-month waiting period after the filing of an adoption petition if the child was voluntarily left at certain facilities or in a newborn safety device, if the child has resided in the home of the petitioners for at least three months, and if the court has received the final court report concerning the circumstances of the child and the petitioners and is satisfied that the adoption will be in the best interest of the child.

Amendment House amendment 1 (005675) makes the following changes to this bill: (1) Changes the effective date to July 1, 2023; (2) *Summary:* Removes the provisions of this bill providing that, upon notification, the department is required to assume the physical care, custody, and control of the infant, and that, as soon as practicable, the department is required to transfer the physical care, custody, and control of the infant to a designated authorized nonprofit licensed child-placing agency; and (3) Adds that, if an infant is abandoned, then the department must file a petition seeking termination of parental rights within 10 calendar days after the 90-day period established in present law is completed. The court must then expedite the case and ensure that the hearing on the termination petition is heard within 30 days of the date the petition is filed, unless the court determines an extension is in the best interest of the child.

Senate Status: 04/06/23 - Senate passed.

House Status: 04/03/23 - House passed with amendment 1 (005675).

Executive Status: 05/02/23 - Enacted as Public Chapter 0293 effective July 1, 2023.

SB535/HB163 Changes to parental rights and adoption of children.

Sponsors: Sen. Haile, Ferrell , Rep. Butler, Ed

Summary: Revises the definition of abandonment for purposes of termination of parental rights to include circumstances where the parent or guardian fails to visit or support the child for a period of three consecutive months if the child is less than four years of age. Requires the court to waive the six-month waiting period after the filing of an adoption petition if the child is less than four years of age and certain circumstances have been met.

Amendment Senate amendment 2 (007420) establishes that if a parent or guardian fails to visit or support a child under the age of four for a

Summary: period of three consecutive months preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment and make the child available for adoption.

Senate Status: 04/17/23 - Senate passed with amendment 2 (007420).

House Status: 04/19/23 - House concurred in Senate amendment 2 (007420).

Executive Status: 05/15/23 - Enacted as Public Chapter 0373 effective July 1, 2023.

SB537/HB461 Termination of parental rights.

Sponsors: Sen. Haile, Ferrell , Rep. Slater, William

Summary: Lowers the time, from 10 years or more to 6 years or more, a parent or guardian must be confined in a correctional or detention facility as a result of a one or more criminal acts as a ground for termination of parental or guardianship rights. Removes the requirement that the child must be under 8 years of age at the time of the sentence.

Amendment Senate amendment 1 (006675) rewrites this bill to amend the present law mentioned above by providing, instead, that the

Summary: termination of parental or guardianship rights may be initiated upon the ground that the parent has been confined in a correctional or detention facility of any type: (1) By order of the court as a result of a criminal act, under a sentence of 10 or more years, and the child is under eight at the time the sentence is entered by the court; or (2) By order of the court as a result of one or more criminal acts, under a sentence of six or more years, and one or more other grounds in law for termination of parental or guardianship rights have been satisfied.

Senate Status: 04/06/23 - Senate passed with amendment 1 (006675).

House Status: 04/10/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0219 effective July 1, 2023.

SB543/HB634 Creates the child care improvement fund.

Sponsors: Sen. Jackson, Ed , Rep. Moody, Debra

Summary: Creates the child care improvement fund, which is to be administered by the department of human services. Requires the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new childcare agency or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency.

Amendment Senate amendment 1 (007661) makes the following changes to this bill: (1) Creates a child care improvement pilot program to

Summary: provide grants to nonprofit organizations to be used for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state. The program must be operated from July 1, 2023, to June 30, 2026; (2) Removes the provision that required the department to allocate and disperse grants each fiscal year from the fund to nonprofit organizations to be expended only for establishing a new child care agency in this state or making improvements to, or assisting with staffing, recruitment, or salary gaps, at an existing child care agency in this state; (3) Clarifies that all expenditures from the fund are subject to review in the form of a written report submitted by the department to the commissioner of finance and administration no later than January 15, 2024, and by January 15 each year thereafter until the close of the pilot program period.

Senate Status: 04/21/23 - Senate passed with amendment 1 (007661).

House Status: 04/21/23 - House passed.

Executive Status: 05/22/23 - Enacted as Public Chapter 0452 effective May 17, 2023.

SB657/HB752 Court order prohibiting the parent from visiting with the child.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary
Summary: Creates an offense for a foster parent from a kinship placement to knowingly allow a child in the foster parent's care to visit with the child's parent if the foster parent had knowledge of a current court order prohibiting the parent from visiting with the child. Specifies that the first violation is a Class C misdemeanor punishable by a fine only and a second or subsequent violation is a Class B misdemeanor. Broadly captioned.
Senate Status: 04/03/23 - Senate passed.
House Status: 03/13/23 - House passed.
Executive Status: 05/02/23 - Enacted as Public Chapter 0238 effective July 1, 2023.

SB722/HB940 Abrial's Law, the Keeping Children Safe from Family Violence Act.

Sponsors: Sen. Massey, Becky , Rep. Alexander, Rebecca
Summary: Enacts Abrial's Law, the Keeping Children Safe From Family Violence Act." Makes various changes to child custody law. Broadly captioned.
Amendment Summary: Senate amendment 2 (006687) rewrites the provisions of this bill relative to court personnel training, and, instead, provides the following: (1) All judges involved in child custody proceedings are required to complete at least two hours of training or continuing education courses on domestic violence or child abuse per year or 10 hours per five years; (2) The training or continuing education courses may include the following topics: child sexual abuse; physical abuse; emotional abuse; coercive control; implicit and explicit bias, including biases relating to parents with disabilities; trauma; long-term and short-term impacts of domestic violence and child abuse on children; victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence; and any relevant topic addressing the best interest of the victim; and (3) The training and continuing education courses may be offered in person or virtually by the administrative office of the courts in conjunction with the annual meetings of the judicial conferences. This amendment also changes this bill's effective date to January 1, 2024.
Senate Status: 04/12/23 - Senate passed with amendment 2 (006687).
House Status: 04/13/23 - House passed.
Executive Status: 05/02/23 - Enacted as Public Chapter 0266 effective January 1, 2024.

SB880/HB1225 Rehearing of the determination of a child support magistrate.

Sponsors: Sen. Akbari, Raumesh , Rep. Lamberth, William
Summary: Extends the time within which a party may request a rehearing of the determination of a child support magistrate from five days to 10 days. Broadly captioned.
Amendment Summary: House amendment 1 (005826) rewrites this bill to add to present law, which provides that in addition to up to six months in jail, a court has the discretion to require a child support obligor who fails to comply with support order to remove litter from appropriate locations or work in a recycling center. This amendment specifies that the court also has the discretion to order the department of safety to issue the obligor a restricted driver license. The provisions of this amendment take effect January 1, 2024. Senate amendment 1 (005312) authorizes courts to order the Department of Safety (DOS) to issue a restricted license to a person who fails to comply with the order or decree of support and maintenance for a minor child or children.
Senate Status: 04/12/23 - Senate passed with amendment 1 (005312).
House Status: 04/17/23 - House concurred in Senate amendment 1 (005312).
Executive Status: 05/10/23 - Enacted as Public Chapter 0366 effective May 5, 2023.

SB919/HB854 Waiving of waiting period after filing petition for adoption.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom
Summary: Allows a court to waive or reduce the six-month waiting period after the filing of a petition for adoption under certain circumstances. Extends from 45 days to 60 days the time period after birth or surrender or parental consent during which an interested party may pay for certain reasonable, actual expenses of the birth mother. Makes various other changes related to adoption and termination of parental rights proceedings including virtual counseling and rights of the biological father.

Amendment Senate amendment 3 (007435) requires the court to provide a ruling on a petition of termination of custodial rights within 30 days of the conclusion of the hearing and to enter an order within 30 days of the ruling. Removes the requirement of a father's consent for adoption proceedings being mandatory simply based on the father being recorded on the child's birth certificate. House amendment 1 (005182) removes all of this bill's provisions except for the provisions relative to final orders of adoption, the provisions relative to termination of parental or guardianship rights, and the provision that deletes the present law requirement stating that the parental rights of the putative father of a child who has not filed a petition to establish paternity of the child or who has not established paternity of the child who is the subject of an adoption proceeding and who is recorded on the child's birth certificate as the father of the child must be terminated by surrender, parental consent, termination of parental rights, or by waiver of interest, before the court may enter an order of adoption concerning that child. This amendment also revises the provisions relative to termination of parental or guardianship rights: (1) To clarify that the court is required: (A) To provide a ruling on the petition to terminate parental or guardianship rights within 30 days of the conclusion of the hearing on the petition; and (B) To enter an order that makes specific findings of fact and conclusions of law within 30 days of the court's ruling; and (2) To rewrite the provision, which provides that the petitioner or respondent will have grounds to request that the court of appeals grants an order expediting the case at the trial level if the case has not been completed within six months from the date the petition was filed; so that it provides, instead, that the petitioner or respondent has grounds to request that the court of appeals grant an order expediting entry of the order if an order has not been entered within 30 days from the court's ruling.

Senate Status: 04/17/23 - Senate passed with amendment 3 (007435).

House Status: 04/19/23 - House concurred in Senate amendment 3 (007435).

Executive Status: 05/15/23 - Enacted as Public Chapter 0393 effective May 11, 2023.

SB921/HB855 Tennessee putative father registry - parental rights termination.

Sponsors: Sen. Rose, Paul , Rep. Leatherwood, Tom

Summary: Changes the time period during which the Tennessee putative father registry must have been consulted prior to the filing of a petition to terminate parental rights from 10 days to 10 working days. Requires the appointment of a guardian ad litem in an adoption involving a mentally disabled child when the child is 14 years of age or older at any time before the granting of the petition rather than at any age. Broadly captioned.

Senate Status: 04/17/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 05/10/23 - Enacted as Public Chapter 0363 effective May 5, 2023.

SB979/HB944 Domestic violence community education fund grants.

Sponsors: Sen. Gardenhire, Todd , Rep. Alexander, Rebecca

Summary: Clarifies that a grant provided by the department of human services from the domestic violence community education fund to the Tennessee task force against domestic violence can be used for advertising. Broadly captioned.

Amendment Senate amendment 1 (005150) rewrites this bill to revise present law definitions relative to abuse, as described below. Under present law, with regard to laws relative to domestic abuse, "abuse" means inflicting, or attempting to inflict, physical injury on an adult or minor by other than accidental means; placing an adult or minor in fear of, or in, physical harm or physical restraint; or causing malicious damage to the personal property of the abused party. This amendment expands the above definition to also include intentionally engaging in behavior that amounts to financial abuse; and defines "financial abuse" as behavior that is coercive, that is deceptive, or that unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which the person is entitled, including using coercion, fraud, or manipulation to do the following: (1) Restrict a person's access to money, assets, credit, or financial information; (2) Unfairly use a person's economic resources, including money, assets, and credit, to gain an advantage; or (3) Exert undue influence over a person's financial behavior or decisions, including forcing default on joint or other financial obligations; exploiting powers of attorney, guardianship, or conservatorship; or failing or neglecting to act in the best interest of the person to whom a fiduciary duty is owed. Under present law, the Tennessee Adult Protection Act defines "abuse or neglect" as the infliction of physical pain, injury, or mental anguish, or the deprivation of services by a caretaker that are necessary to maintain the health and welfare of an adult, or the creation of a situation in which an adult is unable to provide or obtain the services that are necessary to maintain that person's health or welfare. This amendment revises the above definition, such that "abuse or neglect" means an unreasonable expression of authority in which a caretaker: (1) Inflicts physical pain, injury, or mental anguish; (2) Deprives the adult of services that are necessary to maintain the health and welfare of the adult; or (3) Creates a situation in which the adult is unable to provide or obtain the services that are necessary to maintain the adult's personal health or welfare, including financial abuse.

Senate Status: 04/12/23 - Senate passed with amendment 1 (005150).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0277 effective April 28, 2023.

GOVERNMENT CONTRACTS

SB252/HB71 Requirements for public contracts.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Prohibits a party from protesting a solicitation for a public contract if the party cancels the solicitation. Revises bonding requirements for submitting a protest or an appeal of a decision to a protest to the chief procurement officer or protest committee. Establishes certain restrictions on the contractual terms of public contracts, including prohibiting a state governmental entity from entering into a contract that requires the state or the state governmental entity to defend, indemnify, or hold harmless another person, or assume liability for an act or omission against a person. Part of Administration Package.

Amendment Summary: Senate amendment 1 (004115) revises the provision in the bill that prohibits a state government from entering into a contract that contains a term or condition that establishes the venue for an action or dispute with this state or a state governmental entity in a jurisdiction other than the Tennessee claims commission, the chancery courts of Davidson County, and federal courts of the state. This amendment provides, instead, that a term or condition is prohibited if it establishes venue in a jurisdiction other than the Tennessee claims commission, the chancery courts of Williamson County, and federal courts of the state.

Senate Status: 03/06/23 - Senate passed with amendment 1 (004115).

House Status: 03/20/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0113 effective April 4, 2023.

GOVERNMENT ORGANIZATION

SB29/HB195 Sunset - Board for professional counselors, marital and family therapists and clinical pastoral therapists extension.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the board for professional counselors, marital and family therapists, and clinical pastoral therapists to June 30, 2027.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0070 effective March 31, 2023.

SB35/HB201 Sunset - College savings trust fund program trustees.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the board of trustees of the college savings trust fund program to June 30, 2029.

Senate Status: 02/06/23 - Senate passed.

House Status: 02/13/23 - House passed.

*Executive Status:*03/13/23 - Enacted as Public Chapter 0005 effective March 6, 2023.

SB37/HB203 Sunset - department of children's services extension and performance audit reporting.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the department of children's services to June 30, 2024. Requires the department to submit quarterly reports to the chairs of the government operations committees to provide updates on the department's progress in addressing performance audit findings. Requires the department to appear before the education, health, and general welfare joint evaluation committee no later than June 30, 2023, to present information included in the department's six-month follow-up report submitted to the comptroller of the treasury.

Senate Status: 03/20/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*05/10/23 - Enacted as Public Chapter 0331 effective May 5, 2023.

SB40/HB206 Sunset - department of health.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the department of health to June 30, 2027.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0156 effective April 17, 2023.

SB42/HB208 Sunset - department of intellectual and developmental disabilities extension.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John

Summary: Extends the department of intellectual and developmental disabilities to June 30, 2027.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/13/23 - House passed.

*Executive Status:*04/11/23 - Enacted as Public Chapter 0075 effective March 31, 2023.

SB52/HB218 Sunset - Psychology Interjurisdictional Compact Act.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the Psychology Interjurisdictional Compact Act to June 30, 2031.
Senate Status: 02/06/23 - Senate passed.
House Status: 02/13/23 - House passed.
*Executive Status:*03/13/23 - Enacted as Public Chapter 0010 effective March 6, 2023.

SB55/HB221 Sunset - state textbook and instructional materials quality commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the state textbook and instructional materials quality commission to June 30, 2027.
Senate Status: 03/16/23 - Senate passed.
House Status: 03/13/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0136 effective April 6, 2023.

SB64/HB230 Sunset - Tennessee public charter school commission.

Sponsors: Sen. Roberts, Kerry , Rep. Ragan, John
Summary: Extends the Tennessee public charter school commission to June 30, 2026.
Senate Status: 03/06/23 - Senate passed.
House Status: 03/16/23 - House passed.
*Executive Status:*04/11/23 - Enacted as Public Chapter 0106 effective April 4, 2023.

SB1426/HB1004 Appointed members of state governmental entities.

Sponsors: Sen. Roberts, Kerry , Rep. Darby, Tandy
Summary: Requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified. Authorizes the removal of such member by the member's appointing authority with or without cause. Removes term limits for members of the advisory council on state procurement. Broadly captioned.
Senate Status: 04/10/23 - Senate passed.
House Status: 03/30/23 - House passed.
*Executive Status:*05/02/23 - Enacted as Public Chapter 0316 effective April 28, 2023.

GOVERNMENT REGULATION

SB279/HB327 Financial activities of the governor's office of faith-based and community initiatives.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William
Summary: Removes the requirement that the nonprofit partner of the governor's office of faith-based and community initiatives use its own revenues to cover the cost of the nonprofit partner's activities. Removes the prohibition on a state employee benefitting from the nonprofit partner's activities. Removes the statement of the general assembly's intent that the state not realize any increased cost as a result of the governor's office of faith-based and community initiatives. Part of Administration Package.
Amendment Summary: Senate amendment 1 (005109) prohibits a state employee from receiving compensation from funds received by the nonprofit partner.
Senate Status: 03/23/23 - Senate passed with amendment 1 (005109).
House Status: 03/30/23 - House passed.
*Executive Status:*04/17/23 - Enacted as Public Chapter 0146 effective April 13, 2023.

SB551/HB448 Public comment of public meetings.

Sponsors: Sen. Lowe, Adam , Rep. Davis, Elaine
Summary: Requires governmental entities to provide a period of public comment for public meetings. Authorizes the governmental entities to place reasonable restrictions on the period for public comment including the length of the period, the number of speakers, and the length of time of the speaker.
Amendment Summary: House amendment 1 (004149) clarifies that the provisions of this bill do not apply to a meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or a meeting for which there are no actionable items on the agenda. House amendment 2 (006339) changes effective date from upon becoming law to July 1, 2023.
Senate Status: 04/05/23 - Senate passed.
House Status: 03/23/23 - House passed with amendment 1 (004149) and amendment 2 (006339).
*Executive Status:*05/02/23 - Enacted as Public Chapter 0300 effective July 1, 2023.

SB1202/HB808 Nontraditional child care agency.

Sponsors: Sen. Rose, Paul , Rep. Howell, Dan

Summary: States that for the purpose of regulating child care agencies, a nontraditional child care agency does not include a person or entity that places children in family boarding homes or foster homes.

Senate Status: 03/09/23 - Senate passed.

House Status: 02/27/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0066 effective March 23, 2023.

HEALTH CARE

SB1/HB1 Prohibited medical procedures for minors.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Prohibits a healthcare provider from performing on a minor or administering to a minor a medical procedure if the performance or administration of the procedure is for the purpose of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex. Broadly captioned.

Amendment Summary: Senate amendment 2 (003624) revises some of the legislative findings that precede the substantive provisions of this bill and makes the following substantive changes: (1) Replaces this bill's provisions that generally prohibit prescribing, administering, or dispensing any drug or device to a minor for purposes of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex or treating purported discomfort or distress from a discordance between the minor's sex and asserted identity. This amendment instead specifically prohibits prescribing, administering, or dispensing a puberty blocker or hormone for such purposes, subject to the exceptions specified in this bill. This amendment also prohibits a person from knowingly providing a hormone or puberty blocker by any means to a minor if the provision of the hormone or puberty blocker is not in compliance with this bill; (2) Specifies that this bill's prohibitions against administering, performing, or offering to perform certain medical procedures on a minor, including medical procedures described in (1), apply to medical procedures that are performed or administered either in Tennessee or on a Tennessee resident via telehealth; (3) Adds that a healthcare provider must act knowingly in order to commit an offense under this bill; (4) Adds treatment of precocious puberty to the list of conditions the treatment of which are excepted from this bill's prohibition concerning medical procedures offered to, or administered or performed on a minor; (5) With regard to the exception for finishing a medical procedure that began prior to this bill's effective date, adds that such procedure must conclude by March 31, 2024, in order for the exemption to apply; (6) Revises the cause of action under this bill by replacing authorization for a minor to a parent of the minor who consented to the conduct that constituted a violation of this bill. This amendment instead authorizes a minor to sue any person alleged to have violated this amendment's prohibition against knowingly providing a hormone or puberty blocker by any means to a minor, described in (1); (7) For purposes of actions brought by the attorney general and reporter against a healthcare provider under this bill, this amendment specifies that each performance or administration of a medical procedure in violation of this bill is a separate violation for which profits may be disgorged and a \$25,000 civil penalty may be assessed. This amendment also broadens the class of persons against whom the attorney general and reporter will be authorized to bring an action for a violation of this bill to include any person instead of only a healthcare provider; (8) Specifies that this bill will not prohibit or restrict psychological practice, the practice of professional counseling, or the practice of social work; and (9) Makes this bill applicable to actions occurring on or after July 1, 2023. Senate amendment 3 (003880) revises Amendment #2, such that the prohibition against administering, performing, or offering to perform certain medical procedures on a minor, applies to medical procedures that are performed or administered either in Tennessee or on "a minor located in Tennessee via telehealth," not "a resident of Tennessee via telehealth." This amendment also changes a section header.

Senate Status: 02/13/23 - Senate passed with amendment 2 (003624) and amendment 3 (003880).

House Status: 02/23/23 - House passed.

*Executive Status:*03/07/23 - Enacted as Public Chapter 0001 effective July 1, 2023.

SB219/HB271 Chronic disease prevention taskforce removed.

Sponsors: Sen. Jackson, Ed , Rep. Hicks, Tim

Summary: Removes language from the Chronic Disease Prevention Act that created a taskforce to study methods on how to prevent cardiovascular disease, hypertension, and diabetes to ceased to exist on December 15, 2020.

Amendment Senate amendment 1 (004877) establishes certified psychological testing technician as a new level of psychological practice.

Summary: Prohibits a person from practicing as a certified psychological testing technician without a proper certificate issued by the Board of Examiners in Psychology (Board). Establishes minimum education and training requirements for certified psychological testing technicians. Authorizes such individuals to administer and score standardized psychological and neuropsychological tests and to observe and describe a client's test behavior and test responses. Requires all work performed by a certified psychological testing technician to be supervised by a psychologist or senior psychological examiner, as determined by the Board. House amendment 1 (006330) makes grammatical clarifications, clarifies that applications to practice as a certified psychological testing technician must be made to the board (but not specifically through the chair), adds that a senior psychological examiner may supervise a certified psychological testing technician in the same manner as a psychologist, authorizes the board of examiners in psychology to promulgate rules (including emergency rules) to effectuate this bill, and changes this bill's effective date for purposes other than rulemaking from upon becoming a law to January 1, 2024. House amendment 2 (007218) clarifies that a candidate for certification must furnish the board with satisfactory evidence that the candidate is either a citizen or legal resident of the United States.

Senate Status: 04/21/23 - Senate concurred in House amendment 1 (006330) and amendment 2 (007218).

House Status: 04/20/23 - House passed with amendment 1 (006330) and amendment 2 (007218).

Executive Status: 05/22/23 - Enacted as Public Chapter 0442 effective May 17, 2023.

SB221/HB273 Removes provision of a review of remote use of the special supplemental food program for women, infants, and children.

Sponsors: Sen. Roberts, Kerry , Rep. Terry, Bryan

Summary: Removes a provision that required the department, no later than December 15, 2022, to conduct a review of remote use of the special supplemental food program for women, infants, and children and deliver a report to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. Broadly captioned.

Amendment House amendment 1 (006763) requires the Division of Health-Related Boards to consult the Board of Medical Examiners (BME)

Summary: in the hiring of a medical consultant. Establishes that a licensed physician designated and authorized by the BME as a consultant is vested with the authority to review applications for licensure, assist in investigations, and consult in disciplinary actions and settlement agreements. Requires the Department of Health (DOH) to provide biannual surveys to the BME for feedback and review by a medical consultant.

Senate Status: 04/17/23 - Senate concurred in House amendment 1 (006763).

House Status: 04/13/23 - House passed with amendment 1 (006763).

Executive Status: 05/02/23 - Enacted as Public Chapter 0252 effective April 28, 2023.

SB248/HB66 Department of intellectual and developmental disabilities to provide home health services to outpatients.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes the department of intellectual and developmental disabilities to provide home health services to outpatients through the Tennessee Early Intervention System. Part of Administration Package.

Senate Status: 02/13/23 - Senate passed.

House Status: 02/23/23 - House passed.

Executive Status: 03/20/23 - Enacted as Public Chapter 0024 effective March 10, 2023.

SB256/HB75 Criminal immunity to persons who are experiencing a drug overdose.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Extends criminal immunity to person who are experiencing a drug overdose and are seeking medical assistance, regardless of prior overdose history. Part of Administration Package.

Amendment Senate amendment 1 (003309) rewrites this bill, such that the immunity from being arrested, charged, or prosecuted may be

Summary: applied for a person who experiences subsequent drug overdoses at the discretion of the responding law enforcement officer or the district attorney general's office.

Senate Status: 02/23/23 - Senate passed with amendment 1 (003309).

House Status: 02/27/23 - House passed.

Executive Status: 03/20/23 - Enacted as Public Chapter 0041 effective July 1, 2023.

SB267/HB315 Intermediate care facilities for individuals with intellectual disabilities - allowable number of beds.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Increases the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for individuals with intellectual disabilities from 668 to 804. Allows for private for-profit and private not-for-profit to be transferred from one location to another. Requires that an available private bed be filled only upon completion of a community-informed choice process established by the department of intellectual and developmental disabilities to ensure the most cost-effective placement with consideration for the individual's freedom of choice. Allows a facility to refuse persons based on the facility's compatibility needs. Part of Administration Package.

Amendment Summary: House amendment 1 (006424) incorporates the changes made by Senate Amendment 2 but requires the department of intellectual and developmental disabilities to use the data from cost reports submitted by providers to the comptroller of the treasury in order to determine the statewide available occupancy, instead of requiring the comptroller to make the determination.

Senate Status: 04/13/23 - Senate concurred in House amendment 1 (006424).

House Status: 04/10/23 - House passed with amendment 1 (006424).

Executive Status: 05/02/23 - Enacted as Public Chapter 0254 effective April 28, 2023.

SB277/HB325 Opioid prescription limitations.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Permanently extends the present law, which is set to terminate on July 1, 2023, that establishes limitations on the prescription of opioids and authorizes the promulgation of rules related to the calculation of those limitations. Part of Administration Package.

Amendment Summary: House amendment 1 (006206) adds to this bill and changes present law as follows: (1) Provides that after issuing an initial prescription to a patient for an opioid in a manner that complies with present law, the healthcare practitioner who issued the initial prescription is not required to obtain and document informed consent if the subsequent prescription is for the same opioid and for the same episode of treatment. Informed consent must be updated periodically during any course of treatment; (2) Excepts the treatment of patients who have undergone recent cancer treatment from restrictions and limitations on treating patients with opioids to same extent as such exemption applies under present law to the treatment of patients who are undergoing active cancer treatment, undergoing palliative care treatment, or are receiving hospice care. This amendment defines "recent cancer treatment" to mean six months following the end of an active cancer treatment; and (3) Replaces an obsolete reporting requirement with a requirement that the commissioner of health, in consultation with the healthcare professional regulatory boards, provide a letter no later than November 1 of each even-numbered year to the governor, the speaker of the senate, the speaker of the house of representatives, the health and welfare committee of the senate, and the health committee of the house of representatives that includes updated information on the impact and effects of the restrictions set forth in this bill.

Senate Status: 04/05/23 - Senate concurred in House amendment 1 (006206).

House Status: 03/30/23 - House passed with amendment 1 (006206).

Executive Status: 05/02/23 - Enacted as Public Chapter 0188 effective April 24, 2023.

SB292/HB275 Exchange programs for needles and hypodermic syringes.

Sponsors: Sen. Briggs, Richard , Rep. Hazlewood, Patsy

Summary: Applies on a statewide basis, rather than only in Nashville, Chattanooga, Knoxville, and Memphis, the distance parameter for the prohibition on needle and hypodermic syringe exchange programs being operated within 1,000 feet of a school or public park. Removes the distance parameter of 2,000 feet that presently applies on a statewide basis outside those four cities.

Amendment Summary: Senate amendment 1 (005845) provides that such a program established in Kingsport shall not conduct an exchange within 2,000 feet of a school or public park.

Senate Status: 03/23/23 - Senate passed with amendment 1 (005845).

House Status: 04/13/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0256 effective July 1, 2023.

SB394/HB738 Certification for doulas.

Sponsors: Sen. Lamar, London , Rep. Love Jr., Harold

Summary: Requires the department of health to collaborate with the bureau of TennCare in order to study existing doula certification programs. Requires that the department establish a process for certification for persons who have received a certification to perform doula services from specified agencies or who have demonstrated an understanding of basic anatomy and physiology as related to pregnancy, childbirth and the postpartum period. Outlines other required competencies. Makes provisions such that those deemed "medically needy" must be provided doula services. Provides that the new law take effect on July 1, 2023, and requires that a report on the study be provided to the members of the general assembly and to the legislative librarian by December 31, 2023.

Amendment Summary: Senate amendment 2 (006150) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients or women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026; however, the advisory committee will be subject to governmental entity review.

Senate amendment 3 (007305) rewrites this bill to create a five-member doula services advisory committee. The full text of this bill specifies various responsibilities for the advisory committee. Generally, the advisory committee will: (1) Advise the department of health by establishing core competencies and standards for the provision of doula services in this state; and (2) Recommend reimbursement rates and fee schedules for TennCare reimbursement for doula services. For purposes of this amendment: (1) "Doula" means a birth worker who provides child birth education, advocacy, and physical, emotional, and nonmedical support for pregnant and postpartum women before, during, and after childbirth and loss; and (2) "Doula services" means at least three prenatal appointments, continuous labor support during birth, and at least three postpartum appointments with a pregnant woman. The advisory committee will consist of the following members: (1) The commissioner of health, or the commissioner's designee with experience in maternal health or medicaid policy; (2) The director of TennCare, or the director's designee; (3) Two community-based doulas, to be appointed by the commissioner of health or the commissioner's designee, who have documented experience providing services to medicaid recipients women in areas in this state with high rates of maternal and infant mortality; and (4) One doula, to be appointed by the commissioner of health or the commissioner's designee, who has documented experience providing services to medicaid recipients. The full text of this amendment specifies various procedural processes for the advisory committee, such as filling vacancies, attendance requirements, and selection of officers. The advisory committee will cease to exist on July 1, 2026.

Senate Status: 04/13/23 - Senate passed with amendment 3 (007305).

House Status: 04/20/23 - House passed.

Executive Status: 05/17/23 - Enacted as Public Chapter 0424 effective July 1, 2023.

SB614/HB1313 Annual report on the Tennessee nurse home visitor program.

Sponsors: Sen. Briggs, Richard , Rep. Kumar, Sabi

Summary: Requires the department of health to make its annual report concerning the Tennessee nurse home visitor program to the general assembly by February 1 of each year and in an electronic format. Broadly captioned.

Amendment Summary: Senate amendment 1 (003729) rewrites this bill to change present law relative to the East Tennessee State University College of Public Health, in cooperation with the Tennessee stroke systems task force, maintaining a statewide stroke database that compiles information and statistics on stroke care involving prevalence, mortality, and performance metrics that align with the stroke consensus metrics developed and approved by the American Heart Association, centers for disease control and prevention and the joint commission. Present law requires comprehensive stroke centers and primary stroke centers, and encourages all other hospitals, to report data quarterly consistent with nationally recognized stroke consensus measures on the treatment of individuals with confirmed stroke to the East Tennessee State University College of Public Health. This amendment rewrites this provision to expand the mandatory reporting to hospitals that have a certification from a department-approved, nationally recognized certifying body recognizing the hospital as capable of providing neuroendovascular treatment.

Senate Status: 02/27/23 - Senate passed with amendment 1 (003729).

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0123 effective April 4, 2023.

SB721/HB498 In-person encounter requirement exemption for patients receiving telehealth evaluation.

Sponsors: Sen. Massey, Becky , Rep. Martin, Brock

Summary: Exempts a person receiving an initial behavioral health assessment via telehealth from the requirement of an in-person encounter between the healthcare services provider, practice group, or healthcare system within 16 months prior.

Amendment Summary: Senate amendment 1 (004040) revises this bill, such that the authorization to arrange a chart view or required visit by a collaborating physician via HIPAA-compliant electronic means rather than at the site of the clinic, applies to a physician assistant that is so authorized and provides services "solely via telehealth," not "via telehealth."

Senate Status: 02/23/23 - Senate passed with amendment 1 (004040).

House Status: 04/03/23 - House passed.

SB799/HB859 Study of available real-time overdose information databases.

Sponsors: Sen. Yarbro, Jeff , Rep. Jernigan, Darren

Summary: Requires the commissioner of the department of health, in collaboration with the commissioner of mental health and substance abuse services, to conduct a study of presently available, real-time overdose information databases and mapping tools in use in other jurisdictions to determine whether the statewide use of such system in this state is likely to decrease the occurrence of overdose-related deaths, identify obstacles and challenges to implementing such system statewide, and estimate the costs of and a timeline for implementation, and to deliver a report of findings and recommendations to the general assembly by December 31, 2023. Broadly captioned.

Amendment Summary: Senate amendment 1 (004763) rewrites this bill to revise present law concerning certain records of ambulance service and invalid vehicle operators, licensed or permitted by the department of health. Present law requires such operators to maintain run records and all other records deemed necessary by the Tennessee emergency medical services board. This amendment authorizes the department to disclose de-identified data that is collected from such records, including for the purpose of providing opioid overdose response and resources throughout this state.

Senate Status: 03/23/23 - Senate passed with amendment 1 (004763).

House Status: 04/06/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0203 effective April 24, 2023.

SB858/HB952 Regulation of facilities that have psychiatric beds and acute care beds.

Sponsors: Sen. Reeves, Shane , Rep. Boyd, Clark

Summary: Authorizes the health facilities commission and the department of mental health and substance abuse services to jointly license and regulate facilities that have psychiatric beds and acute care beds and have as a primary purpose or function the provision of psychiatric services. Requires the health facilities commission, in consultation with the department of mental health and substance abuse services, to promulgate rules to establish a process to jointly license and regulate such facilities. Broadly captioned.

Amendment Summary: Senate amendment 2 (005507) removes the provisions of amendment 1 that revised present law concerning the powers and authority granted generally to the health facilities commission and, instead, adds that: (1) The commission may license, for purposes of providing acute care services, a facility that is additionally licensed by the department of mental health and substance abuse services; (2) The commission may promulgate rules to govern the process of licensing, for purposes of providing acute care services, a facility that is or may become additionally licensed by the department of mental health and substance abuse services and that is not otherwise exempt from licensing under the laws of this state or federal law; (3) The commission must consult with the department of mental health and substance abuse services when promulgating rules described in (2) above; (4) (1)-(3) above do not alter or preclude the requirement that a facility, not otherwise exempt, obtain licensure from the department of mental health and substance abuse services; and (5) The board for licensing health care facilities is authorized to promulgate rules governing the designation of rural emergency hospitals in a manner consistent with the federal regulations of the federal centers for medicare and medicaid services. Senate amendment 1 (005864) rewrites this bill to establish regulations regarding the licensing and regulating of certain medically related facilities. HEALTH FACILITIES COMMISSION Present law provides that the commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care facilities, home care organizations, residential hospices, birthing centers, prescribed child care centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. This amendment expands the authority of the health facilities commission to include the licensing and regulating of assisted-care facility administrators. BOARD OF LICENSING HEALTH CARE FACILITIES Under present law, until the board adopts building and fire safety rules pursuant to this section, the codes and rules in effect on July 1, 1981, apply to those facilities licensed under this part. A facility that complies with the required applicable building and fire safety regulations at the time the board adopts new codes or rules is, as long as compliance is maintained, either with or without waivers of specific provisions, considered to be in compliance with the new codes or rules. This amendment removes these provisions in their entirety and instead provides that a majority of members, not including vacant positions on the board, constitutes a quorum for the transaction of all business. This amendment further clarifies that for the purposes of contested base hearings and disciplinary matters, three or more members constitute a necessary quorum, and the board chairperson is authorized, when it is deemed necessary, to split the board into panels of three or more members each to conduct contested case hearings or disciplinary matters. A majority vote of the members present on a duly constituted panel is required to authorize board action in disciplinary matters and contested case hearings. The board chairperson has the authority to appoint board members to serve, as necessary, on the panels regardless of the professional category from which the appointed member was chosen or the member's status as a physician, administrator, or citizen member. The existence of a non-physician or non-administrator board member creates no rights in any individual concerning the composition of a panel in any disciplinary matter or contested case hearing. However, the unavailability of a member of a panel before rendition of a final order must not require the substitution of another member unless the unavailability results in there being less than the quorum required by statute for contested case hearings or disciplinary matters. A substitute must use any existing record and may conduct further proceedings as is necessary in the interest of justice. In addition, this amendment removes the provision that requires that two members of

the commission must be ex officio members. **PENALTIES FOR A FACILITY'S OR INDIVIDUAL'S NONCOMPLIANCE** This amendment provides that an action to recover or collect a civil monetary penalty owed pursuant to this amendment by a noncomplying facility or individual must not be taken until the facility or individual has waived the right to a contested case hearing; the time allowed for the facility or individual to demand a contested case hearing has expired without a demand being made or a denial filed; or a final administrative order has been entered pursuant to statute. If the full amount of the civil monetary penalty owed has not been received in full within 60 days from the occurrence of an event described in law or received by the due date specified by order, then the executive director of the health care facilities commission must immediately proceed to recover such amount, plus interest computed at the applicable formula rate approved by statute, retroactive to the earliest date of occurrence of a noncomplying event by one or more of following means: directing the reduction of the amount owed from any balance otherwise due from the state to the facility and directing a remittance of the amount to the health facilities commission; adding such amounts to the licensing fee, with renewal of the license contingent upon the prior payment of such costs; or bringing an action in circuit or chancery court to recover such amounts. **PROBATIONARY PERIOD** This amendment authorizes the executive director to, by written order, extend the probationary period beyond the standard 12 months for a facility to come into compliance. **HEARINGS BEFORE BOARD** Present law generally provides that any licensee, or applicant for license, aggrieved by a decision or action of the commission or board, may request a hearing before the board. This amendment removes this provision and, instead, provides, that the commission and each board, committee, or council under the authority of this amendment that does not already have authority to utilize screening panels may utilize one or more screening panels in its investigative and disciplinary process to assure that complaints filed and investigations conducted are meritorious and appropriate. In addition, this amendment specifies that the activities of a screening panel and any mediation or arbitration sessions must not be construed as an open meeting of an agency and remain confidential. The members of a screening panel, mediators, and arbitrators have a deliberative privilege and the same immunity as provided by law for the boards and are not subject to deposition or subpoena to testify regarding any matter or issue raised in any contested case, criminal prosecution, or civil lawsuit that may result from or that is incident to cases processed before the panel. A screening panel has the authority to administer an oath to witnesses. Any documents or records produced at the screening panel are exempt from disclosure as a public record until there is a filing of a notice of charges and such documents or records form the basis for the filing of a notice of charges. This amendment also provides that members of a screening panel may be drawn from among the membership of the relevant board, and members may be appointed by the relevant board. Non-board members must meet the requirements of membership for the relevant board and may include a consumer member. However, a board member serving on a panel is prohibited from participating in a contested case involving any matter heard by the panel. Each screening panel is required to be instructed as to the statutes, rules, and philosophies of the relevant board as it pertains to disciplinary action and procedures that must be followed by the panel. Each screening panel must be provided a copy of Tennessee Supreme Court Rule 31 for review by members of the screening panel for general guidance as to the principles of mediation and alternative dispute resolution. Furthermore, a board is also prohibited from compelling any party to participate in a screening panel, and no prejudice is incurred if a party chooses not to participate in a screening panel or to accept the offer of a screening panel. In addition, on or after July 1, 2024, a licensee or applicant for a license aggrieved by a decision or action of the commission pursuant to this bill may request a hearing before the commission. The amendment goes on further to clarify that the chair of the health facilities commission may appoint a five-member ad hoc litigation committee composed of members of the commission when deemed necessary by the chair or the commission. **INJUNCTIONS AND PENALTIES** Currently, based upon a complaint that a home for the aged, assisted-care living facility, adult care home or traumatic brain injury residential home, subject to licensure under this part may be operating without a license, the commission, with consent of an owner, operator, manager, or person who participates in the operation, or patient or resident, or the guardian of the patient or resident, may enter the facility in order to investigate or inspect the complaint for the necessity of or compliance with licensure under law. However, this amendment removes these provisions entirely and instead, specifies that within five working days after concluding an inspection or investigation, the executive director may initiate type A civil penalty proceedings by mailing a notice to the facility, stating the executive director's decision to suspend the admissions of new patients. However, within 10 working days after concluding an inspection or investigation, the health facilities commission must mail to the nursing home the executive director's order, which must also inform the nursing home of its right to contest the action. **INITIATION OF TYPE B OR C PENALTY HEARING FOR DEFICIENT NURSING HOMES** Within three working days after concluding the inspection or investigation, the health facilities commission may initiate type B or type C civil penalty proceedings by mailing to the nursing home a written statement citing the relevant provisions that the health facilities commission alleges to have been violated, stating the amount of the penalty being assessed, and informing the facility of its right to contest the penalty. In addition, the present law also provides that within eight working days after concluding the inspection or investigation, the health facilities commission is required to mail to the nursing home a more detailed statement describing the findings with particularity and citing the law with specificity. This amendment increases the number of days the health facilities commission has to initiate the civil proceedings from 3 to 5 working days; and increases the number of days the health facilities commission has to mail to the nursing home a more detailed statement from 8 to 10 working days. **TRANSFERABILITY OF CERTIFICATE OF NEED** Present law does not prohibit a change of control, if the commission determines, upon petition of the prospective owner or owners of the entity, that the prospective owner or owners demonstrate that they meet the criteria of economic feasibility, contribution of orderly development, and the relevant considerations mandated by statute. This amendment revises the evidence the new owners must demonstrate to the commission before the change of control is permitted. The prospective owners must demonstrate the owner or owners will provide health care that meets appropriate quality standards, and that the transfer would not reduce access to consumers, particularly those in underserved communities; those who are uninsured

or underinsured; women and racial and ethnic minorities; TennCare or Medicaid recipients; and low-income groups. **REPORT ON NURSING HOME INSPECTION AND ENFORCEMENT ACTIVITIES** Under current law, the commissioner is required to submit a report by not later than February 1 of each year to the governor and to each house of the general assembly regarding the department's nursing home inspection and enforcement activities during the previous year. The report must analyze trends in compliance with nursing home standards and residents' rights by nursing homes in the state, and must be limited to identifying those trends through aggregate and quantitative data only. In preparing the report, the commissioner may utilize quantitative data compiled by nursing homes pursuant to federal or state regulations. In addition, the commissioner must ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy. This amendment removes these provisions and, instead, requires that the executive director of the health facilities commission submit a report no later than February 1 of each year to the governor, the chief clerk of the house of representatives, and the chief clerk of the senate, regarding the commission's nursing home inspection and enforcement activities during the previous year. The executive director must also ensure that the report is promptly made available to the public by dissemination via the internet and that the report is available for members of the public to copy. **FIRE SAFETY** This amendment shifts the duties and responsibilities regarding the fire safety in assisted living facilities and in licensed homes for the aged from the department of health to the health facilities commission. **RECORDS REQUIRED TO BE KEPT BY LICENSEES AND PERMITTEES** Present law provides that: (1) Notwithstanding any other provision of law to the contrary, an ambulance service provider must furnish to a patient or a patient's authorized representative a copy of such patient's run record or records within five business days upon request in writing by the patient or such representative; and (2) Except as otherwise provided by law, such patient's run record or records must not constitute a public record, and nothing contained in this part will be deemed to impair any privilege of confidentiality conferred by law on patients, their personal representatives or heirs. Nothing in this (2) will impair or abridge the right of the patient or the patient's authorized representative to obtain copies of the patient's hospital records in the manner provided in statute. Nothing in (2) should be construed as prohibiting a patient's run record or records from being subpoenaed by a court of competent jurisdiction. As used in (1)-(2), "run record" includes any list of patients that is compiled or maintained by or for such patient's ambulance service provider, but shall not include the dispatch log. This amendment revises (1) by also requiring that an ambulance service provider must furnish a copy of a patient's run record or records to a surveyor employed by the health facilities commission within five business days upon request in writing by the surveyor or health facilities commission staff. This amendment revises (2) by providing that (2) does not prohibit a health facilities commission surveyor investigating an incident in a certified or licensed healthcare facility from obtaining a copy of this record without a subpoena incident to a health facility investigation. **STATE PALLIATIVE CARE AND QUALITY OF LIFE COUNCIL MEMBERSHIP** Present law provides that the council membership must be appointed by the executive director, after consulting with Tennessee Hospice Association, Tennessee Hospital Association, Tennessee Medical Association, Tennessee Nursing Association, Tennessee Health Care Association, Tennessee Association of Home Care, and the Tennessee Chapter of American Cancer Society, and shall include interdisciplinary palliative care medical, nursing, social work, pharmacy, and spiritual professional expertise; patient and family caregiver advocate representation; and any other relevant appointees the executive director determines appropriate. The council must also consist of no more than 11 members. The executive director must also consider the racial, geographic, urban/rural, and economic diversity of the state when appointing members. Membership shall specifically include health professionals having palliative care work experience or expertise in palliative care delivery models in a variety of inpatient, outpatient, and community settings such as acute care, long-term care, and hospice, and with a variety of populations, including pediatric, youth, and adult. At least one council member must be a board-certified hospice and palliative medicine physician; at least one council member is required to be a licensed certified registered nurse practitioner with expertise in palliative care; and one council member must be from the department of health. Council members must also be appointed for a term of three years. The members must elect a chair and vice chair, whose duties shall be established by the council. The council must fix a time and place for regular meetings that meet no less than twice yearly. This amendment increases the number of members from 11 to 12 and further adds that one of the council members must be the executive director of the health facilities commission or the executive director's designated representative. **ALZHEIMER'S DISEASE AND RELATED DEMENTIA ADVISORY COUNCIL** The current law provides that the council must be composed of no less than 11 members but must not exceed 16 members. This amendment raises the maximum number of members from 16 to 17, which must include the executive director of the Tennessee health facilities commission. **REGULATION OF HEALTH AND RELATED FACILITIES** This amendment shifts the duties and responsibilities of licensing and regulating adult care facilities; adult care home providers, including resident managers; assisted-care living facilities; a home care organization qualified to provide home health services, home medical equipment or hospice services; residential homes for the aged; hospitals that provide certain services; recuperation center; and residential hospice from the board of licensing health care facilities to the health facilities commission. This amendment also shifts the duties and responsibilities of reviewing facilities, construction planned by facilities, standards regulating accessibility by disabled, branch offices of home care organizations, the use of endoscopy technicians, and other radiological staff at ambulatory surgical treatment centers, and other related provisions from the board of licensing health care facilities to the health facilities commission. In addition, this amendment removes the present law that requires the commission to accomplish licensing and regulation through the board for licensing healthcare facilities to be created in a manner provided by statute and other employees as are provided for in statute. This amendment also provides that the definitions of board and department for the purposes of health facilities and resources statutes no longer apply and adds for the purpose of reporting incidents of abuse, neglect, and misappropriate, the term commission should be included to mean the health facilities commission. In addition, for the purposes of this bill, the amendment defines certain terminology: (1) A "conflict of interest" means a matter before the commission in which the member or employee of the commission has a direct

interest or indirect interest that is in conflict or gives the appearance of conflict with the discharge of the member's or employee's duties; (2) "Direct interest" refers to a pecuniary interest in the persons involved in a matter before the commission, and applies to the commission member or employee, the commission member's or employee's relatives, or an individual with whom or business in which the member or employee has a pecuniary interest. As used in this bill, "relative" means a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew by blood, marriage, or adoption; (3) "Ex parte communications" means communications in violation of present law; (4) "Indirect interest" means a personal interest in the persons involved in a matter before the commission that is in conflict with the discharge of the commission member's or employee's duties; (5) "Needs assessment" means an annual report that measures access to health care in this state, particularly as to emergency and primary care; identifies access gaps; and serves to inform the criteria and standards for the issuance of certificates of need; (6) "Nonresidential substitution-based treatment center for opiate addiction" includes, but is not limited to, stand-alone clinics that offer methadone, products containing buprenorphine, such as Subutex and Suboxone, or products containing another formulation designed to treat opiate addiction by preventing symptoms of withdrawal; (7) "Nursing home bed" means a licensed bed within a nursing home, regardless of whether the bed is certified for Medicare or Medicaid services and a bed at a healthcare institution that is used as a swing bed under federal regulation; (8) "Rehabilitation facility" means an inpatient or residential facility that is operated for the primary purpose of assisting in the rehabilitation of physically disabled persons through an integrated program of medical and other services that are provided under professional supervision. These revisions (and the remaining revisions in this summary) take effect July 1, 2024.

HEALTH FACILITIES COMMISSION JURISDICTION AND POWERS

This amendment removes all provisions dealing with the members and authority of the board of licensing health care facilities and instead provides that a health facilities commission must be established that has jurisdiction and powers relating to the licensing and regulation of healthcare facilities as defined in present law; the certificate of need program; the development of the criteria and standards to guide the commission when issuing certificates of need; conducting of studies related to health care, which must include a needs assessment; and related reporting of healthcare institutions. In addition, the commission consists of 15 members, including: (1) The comptroller of the treasury, or an employee of the office of the comptroller of the treasury, designated by the comptroller; (2) The executive director of the commission on aging and disability, or an employee of the commission on aging and disability, designated by the director; (3) The director of TennCare, or an employee of the division of TennCare, designated by the director; (4) Four members appointed by the speaker of the senate that includes one consumer member, one individual who has recent experience as an executive officer of a hospital or hospital system who may be appointed from lists of qualified persons submitted by interested hospital groups, including, but not limited to, the Tennessee Hospital Association; one representative of the nursing home industry who may be appointed from lists of qualified persons submitted by interested healthcare groups, including, but not limited to, the Tennessee Health Care Association; and one duly licensed physician who may be appointed from lists of qualified persons submitted by interested medical groups, including, but not limited to, the Tennessee Medical Association; and (5) Four members appointed by the speaker of the house of representative, to include the same qualifications listed in (4) as well as one representative of the assisted-care living facility industry, and one representative of the ambulatory surgical treatment center industry. This amendment also requires that the governor and speakers consult with interested groups including, but not limited to, the organizations listed above in (1)-(5) to determine qualified persons to fill positions with the commission. In making appointments to the health facilities commission, the governor and the speakers must strive to ensure that racial minorities, females, persons 60 years of age and older, and the three grand divisions are represented. This amendment goes on to specify that the consumer members must be persons who are knowledgeable of health needs and services and who are further knowledgeable by training or experience in healthcare facility design or construction, financing of healthcare services or construction, reimbursement of healthcare services, or general healthcare economics. However, the consumer members must not be a direct provider of healthcare goods or services. A member of the commission must not serve beyond the expiration of the member's term, whether or not a successor has been appointed by the governor or the speakers of the senate and the house of representatives. This amendment also specifies that the commission members are appointed for three-year terms, which may be served consecutively without a limitation upon the number of consecutive or non-consecutive terms a member may serve. In addition, the comptroller of the treasury, the executive director of the commission on aging and disability, and the director of TennCare, or their respective designees, are not limited to a term of years. In order to stagger the initial terms of the consumer members of the commission, the initial term for the consumer member appointed under (4) is three years while the initial term for the consumer member appointed under (5) is two years. This amendment also removes all provisions in present law that deal with and establish the current health facilities commission and replaces it with those enumerated above.

EXECUTIVE DIRECTOR

The commission is required to appoint an executive director qualified by education and experience. The executive director must demonstrate knowledge and experience in the areas of public administration and health policy development. The executive director of the commission on June 30, 2026, will remain executive director on July 1, 2026, without the need for reappointment by the commission. This amendment also provides that the executive director is the chief administrative officer of the commission, exercising general supervision over all persons employed by the commission. The commission's staff is subject to personnel rules and policies that are applicable to state employees in general, including leave, compensation, classification, and travel rules and policies. The commission must fix the salary of the executive director; any adjustments to the executive director's salary due to administration changes to multiple employees in the executive director's job classification do not require commission approval. The commission has the sole authority to appoint, terminate, and control the work of the executive director. The executive director has the exclusive authority to appoint, terminate, and control staff employees. The commission's employees are executive service and serve at the pleasure of the executive director. This amendment lists specific duties granted to the

executive director, including submitting an annual report, no later than January 15 of each year, to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives that includes, but is not limited to, a comparison of the actual payer mix and uncompensated care provided by special health services licensees with the projections the licensees submitted in the licensee's special health services license application. This amendment clarifies that in addition to the duties granted to the executive director, the commission has the authority to delegate certain duties listed in the bill to the executive director, which will continue until specifically revoked by the commission. The executive director is required to notify the commission of an action taken pursuant to a delegation of authority at the commission's next regularly scheduled meeting. The commission is required to review an action by the executive director if the executive director receives a written request for commission review or a commission member requests a commission review. If a request for commission review is received within 15 days of the date the executive director provides notice of the action, then the action does not become final until the commission has rendered its final decision. If, however, the request is made by a commission member and is not received pursuant to the specifications mentioned above, then the executive director's action becomes final as if the action was taken by the commission. A commission review of action taken by the executive director must be conducted at the next regularly scheduled commission meeting that is scheduled for a date no less than two weeks after the date the request for review is received. This is under the de novo standard, and the commission is required to use the then-current edition of Robert's Rules of Order as the rules of parliamentary procedure applicable to a commission review.

MEETINGS Each member and necessary staff and faculty of the commission must be reimbursed for all travel and other necessary expenses. Expenditures must be claimed and paid in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration, and approved by the attorney general and reporter. If a member is absent from three consecutive, regularly scheduled public meetings of the commission, then the individual's membership is automatically terminated, and the position is considered vacant. At the first meeting in each even-numbered year, the commission is required to elect officers. The chair of the commission must be a consumer member to serve a term as chair for two years. A member must not serve more than two consecutive terms as chair and a member of the commission may serve as vice chair, which is a term of two years. In addition, a member is prohibited from serving more than two consecutive terms as vice chair. This amendment also provides that meetings of the commission must be held as frequently as its duties may require, and no less frequently than eight times each fiscal year. A majority of appointed members, not including vacant positions, constitute a quorum. This amendment also clarifies that an action of the commission is not effective unless the action is concurred in by a majority of commission members present and voting. The chair may only vote if there is a tie among the other members present and voting and the commission must record by name the votes taken on all actions of the commission. All commission members shall annually review and sign a statement acknowledging the statute, rules, and policies concerning conflicts of interest. A member, upon determining that a matter scheduled for consideration by the commission results in a conflict with a direct interest, must immediately notify the executive director and is recused from any deliberation of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter. The member must then join the public during the proceedings. However, a member with an indirect interest must publicly acknowledge such interest, unless the member is recused from deliberation on, making a recommendation regarding, testifying concerning, or voting on the matter. All members are required to make every reasonable effort to avoid even the appearance of a conflict of interest. If a member is uncertain whether the relationship justifies recusal, then the member must follow the determination by the legal counsel for the commission. A determination by the commission or a court that a member of the commission with a direct interest failed to provide notice and be recused from deliberations of the matter, from making any recommendation, from testifying concerning the matter, or from voting on the matter, results in the member's automatic termination from the commission and the position is considered vacant. The member is not eligible for appointment to any commission, board, or commission of this state for a period of two years. The executive director, upon determining that a conflict exists for the executive director or a member of the staff, must notify the chair of the commission and take such action as the chair prescribes and pursuant to this bill.

DUTIES AND RESPONSIBILITIES In addition to the powers granted elsewhere in this amendment, the commission has the duty and responsibility to: (1) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities under this amendment; (2) Promulgate rules and policies deemed necessary by the commission for the fulfillment of its duties and responsibilities, including, but not limited to, criteria to guide the commission in the issuance of certificates of need; (3) Conduct studies related to health care, including a needs assessment that must be updated at least annually; and (4) Contract when necessary for the development of criteria and standards to guide the commission when issuing certificates of need and for the implementation of the certificate of need program. In addition, this amendment shifts the authorization with respect to the inspection of administrative, clerical employees and other facility, and the authority to suspend or revoke a license of a center that terminates pregnancies onto the commission. In addition, this amendment removes the provision that requires the board to promulgate rules requiring the board to adopt and appropriately utilize universal precautions for prevention of HIV transmission.

LICENSURE REQUIREMENTS Present law provides that the board, in its discretion, must be authorized to issue licenses to several licensees in such form as it may deem necessary to distinguish between and identify any of the facilities required to be licensed by the commission. It also provides that board administrative staff must maintain a file of reported complaints. The file must include the name of the facility against whom the complaint is filed, the date the complaint is filed, the action taken by the board, if any, on the complaint, and the date of the action taken. This amendment shifts this authorization mentioned above, the authorization for approving applications for licensure, the responsibility of maintaining a file of reported complaints, the authority to issue injunctions and penalties, and the requirement to post and update the required information regarding the facilities it licenses on the internet onto the commission established by this bill. This amendment also removes the requirement that the board conduct either one joint inspection for each licensing

period or accept the investigation of one of the enumerated entities. COLLABORATION WITH THE COMMITTEE ON PEDIATRIC EMERGENCY CARE The required collaboration with the committee on pediatric emergency care in order to support the legislative intent enumerated in statute and to also support the delivery of educational services and equipment to providers of emergency pediatric medical services in facilities it licenses is shifted onto the health facilities commission.

Senate Status:

04/03/23 - Senate passed with amendment 2 (005507) and amendment 1 (005864).

House Status:

04/20/23 - House passed.

Executive Status: 05/23/23 - Enacted as Public Chapter 0466 effective May 17, 2023.

SB925/HB1429 Out-of-state provider of home medical equipment services - requirement to maintain office in state.

Sponsors:

Sen. Lundberg, Jon , Rep. Hicks, Gary

Summary:

Exempts an out-of-state provider of home medical equipment services from the requirement to maintain an office or place of business within this state if the provider provides home medical equipment that is not available from a provider that has an office or place of business within this state.

Amendment

Senate amendment 1 (003501) makes the following changes to this bill: (1) Names this bill "Quinnlee's Law"; (2) Removes the requirement that a provider of home medical equipment services that has a principal place of business outside this state maintain an office or place of business within this state; and (3) Requires the board for licensing health care facilities to establish by rule that a provider of home medical equipment services that has a principal place of business outside of this state must identify a contact person who is required to provide the state survey agency and its surveyors access to all survey items, which may include, but are not limited to, personnel files, patient medical records, policies and procedures, data, background checks, abuse registry checks, facility reported incidents, litigation and bankruptcy history, current licensure status, copies of investigations, discipline records in any other state where the provider is licensed, and video records or files, if available.

Senate Status:

03/06/23 - Senate passed with amendment 1 (003501).

House Status:

03/13/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0099 effective March 31, 2023.

SB1111/HB1380 Mature Minor Doctrine Clarification Act.

Sponsors:

Sen. Bowling, Janice , Rep. Ragan, John

Summary:

Prohibits a healthcare provider from providing a vaccination to a minor unless the healthcare provider first receives written informed consent from a parent or legal guardian of the minor. Requires the healthcare provider to document receipt of, and include in the minor's medical record proof of, such prior informed consent. Prohibits an employee or agent of this state from providing or facilitating the vaccination of a minor child who is in the custody of this state unless a parent or guardian has provided prior written or the parental rights of each of the minor's parents or legal guardians have been terminated by a court. Requires the department of health to establish a registry database for the reporting of vaccinations of minors by healthcare providers in this state.

Amendment

House amendment 1 (006518) adds a statement of legislative findings and removes the requirement that the informed consent provided by a parent or legal guardian for a child's vaccination must be written (except for administration of a COVID-19 vaccine, in which case written consent is still required).

Senate Status:

04/20/23 - Senate concurred in House amendment 1 (006518).

House Status:

04/19/23 - House passed with amendment 1 (006518).

Executive Status: 05/23/23 - Enacted as Public Chapter 0477 effective May 17, 2023.

INSURANCE GENERAL

SB454/HB609 Tennessee Paid Family Leave Insurance Act.

Sponsors:

Sen. Watson, Bo , Rep. Hawk, David

Summary:

Enacts the "Tennessee Paid Family Leave Insurance Act" which authorizes the issuance of an insurance policy that an employer may offer to an employee for the purpose of providing family leave benefits. Broadly captioned.

Senate Status:

03/06/23 - Senate passed.

House Status:

03/13/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0091 effective March 31, 2023.

INSURANCE HEALTH

SB266/HB314 Assignment of benefits to a healthcare provider.

Sponsors:

Sen. Johnson, Jack , Rep. Lamberth, William

Summary:

Removes language outlining benefits and billing statement requirements by healthcare providers. Part of Administration Package.

*Amendment**Summary:*

Senate amendment 1 (003567) deletes the present law regarding the collection of out-of-network charges by healthcare facilities, as described below. Present law prohibits healthcare facilities, which includes licensed hospitals and ambulatory surgical treatment centers, from collecting out-of-network charges from an insured, or the insurer on behalf of the insured, in excess of the cost sharing amount required in accordance with the insured's health benefits coverage for the items and services, unless the healthcare facility provides written notice to the insured or the insured's personal representative, prior to medical services being provided, that contains the following: (1) A statement that the insured agrees to receive medical services by the out-of-network facility and will receive a bill for the amount unpaid by the insured's insurer; (2) A statement that the nonparticipating out-of-network facility-based physician may not have a current contract provider agreement with the insured's insurer and is an out-of-network provider; (3) A statement that the insured agrees to receive medical services by an out-of-network provider and will receive a bill for the amount unpaid by the insured's insurer; (4) If the healthcare facility is out of network or otherwise a nonparticipating provider, the estimated amount that the facility will charge the insured for items and services; (5) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility has contracted, including the healthcare provider or group name, phone number, and website, along with including the statement: The physicians and other healthcare providers that may treat the patient at this facility may not be employed by this facility and may not participate in the patient's insurance network. Anesthesiologists, radiologists, emergency room physicians, and pathologists are not employed by this facility. Services provided by those specialists, among others, will be billed separately. Before receiving services, the patient should check with his or her insurance carrier to find out if the patient's providers are in-network. Otherwise, the patient may be at risk of higher out-of-network charges; and (6) The written notice must also provide information about the possibility of a transfer to an in-network facility if the in-network facility has similar treatment available and will not risk the insured's health. The insured or the insured's personal representative must then sign the written notice, acknowledging agreement to receive medical services by an out-of-network provider or, should the insured or insured's personal representative refuse to sign the written notice, the healthcare facility must document in the patient's medical record that it provided the notice and that the patient refused to sign the notice. Present law also requires that this written notice be provided to the insured or the insured's personal representative at the time of admission. If the insured is receiving medical services through a hospital emergency department and is incapacitated or unconscious at the time of receiving those services, the notice will not be required at that time. If that is the case, the written notice must be provided after receiving medical services and within 12 hours following stabilization. Information about a transfer to an in-network facility must accompany the written notice. Present law provides that a stabilized condition means, with respect to an emergency medical condition, where no material deterioration of the condition is likely, within a reasonable medical probability to result from or occur during transfer of the individual from a facility. Present law further requires that when treated at an out-of-network facility, the insured or the insured's personal representative must receive the written notice from the facility before being transferred by an ambulance to another facility for treatment of medical services unless the insured would be at risk of bodily injury by the facility giving the insured the notice. Prior to admission for a scheduled medical procedure, a healthcare facility must provide the insured with informational materials that include the following: (1) The estimated amount of copay, deductible, or coinsurance, or range of estimates, that the facility will charge the insured for scheduled items and/or services provided by the facility in accordance with the insured's health benefit coverage for the items and services or as estimated by the insurance company on its website for its insured or through the available information to the facility at the time of the prior authorization; (2) A listing of anesthesiologists, radiologists, emergency room physicians, and pathologists or the groups of such healthcare providers with which the facility is contracted, including the healthcare provider or group name, phone number, and website; and (3) The following statement: The patient will be billed for additional charges, including out-of-network charges, if the patient is provided medical services by a healthcare provider that is not in-network. In particular, the patient should ask the facility if he or she will be provided any medical services by anesthesiologists, radiologists, emergency room physicians, or pathologists who are not in the patient's network. A bill to an insured from a healthcare provider or healthcare facility is required to contain a telephone number for the department and a clear and concise statement that the insured may call the department to complain about any out-of-network charges. Present law provides that the failure of the healthcare facility to provide both the notice and information enumerated above does not give rise to any right of indemnification or private cause of action against the healthcare facility by an out-of-network facility-based physician for an insurer's disregard of an insured's assignment of benefit. An in-network healthcare facility does not need to provide an insured with the written notice if the healthcare facility employs all facility-based physicians or requires all facility-based physicians to participate in all of the insurance networks in which the healthcare facility is a participating provider or if the healthcare facility contractually prohibits all facility-based physicians from balance billing patients in excess of the cost sharing amount required in accordance with the insured's health benefits coverage of the items and services provided.

Senate Status: 02/23/23 - Senate passed with amendment 1 (003567).

House Status: 02/27/23 - House passed.

Executive Status: 03/20/23 - Enacted as Public Chapter 0042 effective March 14, 2023.

JUDICIARY

SB400/HB1186 Requests for review of a juvenile court case heard by a magistrate.

Sponsors: Sen. Haile, Ferrell , Rep. Garrett, Johnny

Summary: Rewrites the provisions for requests for review of a juvenile court case heard by a magistrate by changing the right from a de novo hearing by the juvenile court judge to a review by the juvenile court judge with a presumption of correctness as to the magistrate's order. Makes other relevant revisions including time limits, who can participate in reviews, and that pleading guilty removes the right to a review.

Senate Status: 03/30/23 - Senate passed.

House Status: 03/06/23 - House passed.

Executive Status: 05/02/23 - Enacted as Public Chapter 0241 effective April 25, 2023.

SB618/HB985 Information included in court filings regarding parenting plans.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill

Summary: Permits the use of a person's full social security number; taxpayer identification number; birth date; name, if the person is a minor; or financial account number in court filings regarding parenting plans.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/20/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0124 effective April 4, 2023.

SB1218/HB100 Litigation tax for adoption proceedings in various courts.

Sponsors: Sen. White, Dawn , Rep. Stevens, Robert

Summary: Adds adoption proceedings occurring in chancery, circuit or juvenile courts to the courts exempted from litigation tax.

Amendment House amendment 1 (004466) prohibits the state from imposing a litigation tax on adoption proceedings in chancery, circuit, and juvenile court. Affirms a county's right to continue to levy such a tax on the relevant proceedings.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/21/23 - House passed with amendment 1 (004466).

Executive Status: 05/15/23 - Enacted as Public Chapter 0370 effective July 1, 2023.

LABOR LAW

SB1410/HB1212 Employment of minors - places that sell intoxicating beverages.

Sponsors: Sen. Jackson, Ed , Rep. Sexton, Cameron

Summary: Removes the prohibition that a person 16 or 17 years of age may not be employed in any place where the average monthly gross receipts from the sale of intoxicating beverages exceed 25 percent of the total gross receipts of the place of employment if the person is not permitted to take orders for or serve intoxicating beverages. Broadly captioned.

Senate Status: 03/13/23 - Senate passed.

House Status: 02/27/23 - House passed.

Executive Status: 03/27/23 - Enacted as Public Chapter 0068 effective March 23, 2023.

LOCAL GOVERNMENT

SB514/HB724 Cognitive and psychological exams required for candidate for the office of constable.

Sponsors: Sen. Lundberg, Jon , Rep. Hulsey, Bud

Summary: Requires a candidate for the office of constable to undergo a cognitive and psychological examination by a licensed psychologist to ensure the fitness of the candidate prior to running for office.

Amendment House amendment 1 (003494) requires a person seeking the office of constable to file with the county election commission a letter from a licensed psychologist who has conducted a cognitive and psychological test on the candidate stating that the candidate is mentally and cognitively fit to perform the duties of a constable. Requires the same letter to be filed with the county clerk prior to the election if the person is seeking to fill a vacancy in the office of constable through election by the county legislative body. Exempts constables in office on and elected prior to July 1, 2023. Specifies that candidates are responsible for covering the costs of testing.

Senate Status: 03/13/23 - Senate passed.

House Status: 03/06/23 - House passed with amendment 1 (003494).

Executive Status: 03/27/23 - Enacted as Public Chapter 0065 effective July 1, 2023.

SB600/HB90 Local governments prohibited from financially assisting abortions.

Sponsors: Sen. Hensley, Joey , Rep. Moody, Debra

Summary: Prohibits a county, municipality, or metropolitan government from using funds to assist a person in obtaining an abortion, including the travel to a state where abortion is legal.

Amendment Senate amendment 2 (004799) prohibits local governments from expending funds for the purpose of assisting a person in obtaining a criminal abortion, including expending funds as part of a health benefit plan or for travel to a state for the purpose of obtaining an abortion that would be a criminal abortion if performed in this state.

Senate Status: 03/13/23 - Senate passed with amendment 2 (004799).

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0168 effective April 17, 2023.

SB1513/HB1536 Franklin special school district - bond issuance.

Sponsors: Sen. Johnson, Jack , Rep. Whitson, Sam

Summary: Local bill that pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$20 million and to authorize the issuance of tax anticipation notes from time to time. Amends Chapter 563 of the Private Acts of 1949.

Senate Status: 03/23/23 - Senate passed.

House Status: 03/20/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Private Chapter 09 effective April 12, 2023.

MEDIA & PUBLISHING

SB86/HB734 Persons requesting access to public records.

Sponsors: Sen. Walley, Page , Rep. Rudd, Tim

Summary: Clarifies that a person requesting public records is not entitled to special or more expeditious access to records under this part due to the person's occupation or association with a specific profession.

Senate Status: 02/13/23 - Senate passed.

House Status: 03/30/23 - House passed.

*Executive Status:*04/25/23 - Enacted as Public Chapter 0157 effective April 17, 2023.

MENTAL HEALTH

SB1230/HB1043 Funding treatment services for juvenile addiction and mental health disorders.

Sponsors: Sen. White, Dawn , Rep. Bricken, Rush

Summary: Requires the department of mental health and substance abuse services to use funds distributed from revenue received from sports gaming to provide treatment services for juvenile addiction and mental health disorders secondary to providing services for gambling addiction and gambling disorders. Broadly captioned.

Senate Status: 04/10/23 - Senate passed.

House Status: 04/21/23 - House passed.

*Executive Status:*05/23/23 - Enacted as Public Chapter 0482 effective May 17, 2023.

MISCELLANEOUS

SB269/HB317 Juneteenth as a legal holiday.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Designates June 19 of each year as a legal holiday known as Juneteenth. Part of Administration Package.

Senate Status: 03/23/23 - Senate passed.

House Status: 04/20/23 - House passed.

*Executive Status:*05/10/23 - Enacted as Public Chapter 0337 effective May 5, 2023.

PROFESSIONS & LICENSURE

SB233/HB379 Time allowed for an unarmed security guard to complete general training.

Sponsors: Sen. Yarbro, Jeff , Rep. Beck, Bill

Summary: Decreases the amount of time an unarmed security guard applicant has from the date of employment to complete general training and pass an examination from 15 days to 10 days. Broadly captioned.

Amendment House amendment 1 (006434) rewrites this bill to make changes to present law relative to security guards/officers, as described below.

Summary: CARRYING A WEAPON Present law prohibits an unarmed security guard/officer employed by a propriety security organization from carrying a weapon of any kind. This amendment removes this prohibition. UNLAWFUL EMPLOYMENTS, PUBLICATIONS, AND ACTIVITIES Present law: (1) Makes it unlawful for a person to knowingly employ as a security guard/officer an individual who does not hold a valid registration card of the appropriate type, except as provided in present law; (2) Makes a violation of (1) a Class A misdemeanor, punishable by fine only; and (3) Requires the alcoholic beverage commission or a beer board to suspend a license or permit for on-premises consumption of a person for a violation of (1) for a period of one month per violation. However, this does not limit the alcoholic beverage commission's or a beer board's ability to seek to revoke or summarily suspend the license or permit. This amendment makes the following revisions to (1)-(3) above: (A) Revises (1) above to remove the reference to exemptions; and (B) Clarifies that (3) above does not apply when the improperly registered or unregistered security guard/officer was employed by a contract security company that was contracted with to provide security services at the establishment that holds the license or permit to serve alcohol for on-premises consumption. EXEMPTIONS This amendment provides that an employee of a restaurant or hotel, whose primary responsibilities do not involve the provision of security guard and patrol services, is exempt from the Private Protective Services Licensing and Regulatory Act.

Senate Status: 04/17/23 - Senate passed.

House Status: 04/13/23 - House passed with amendment 1 (006434).

Executive Status: 05/10/23 - Enacted as Public Chapter 0357 effective July 1, 2023.

SB450/HB167 Sale or distribution of tattoo and body piercing paraphernalia to minors.

Sponsors: Sen. Lowe, Adam , Rep. Butler, Ed

Summary: Prohibits the sale or distribution of tattoo and body piercing paraphernalia to minors. Specifies that a violation is a Class A misdemeanor.

Senate Status: 03/02/23 - Senate passed.

House Status: 03/13/23 - House passed.

Executive Status: 04/11/23 - Enacted as Public Chapter 0090 effective July 1, 2023.

SB953/HB690 License to practice psychology for a person licensed in another state.

Sponsors: Sen. Walley, Page , Rep. Martin, Brock

Summary: Allows the board of examiners to designate a health science provider a license to practice if the person has held a valid license or certificate in another state for at least 10 years within the last 15 years and has acquired training that is equivalent to the state's required training and never been the subject of disciplinary action.

Amendment Senate amendment 1 (004027) authorizes the board of examiners in psychology to promulgate emergency rules in order to effectuate the licensing standards required under this bill. This amendment also changes the effective date of this bill to upon becoming a law for purposes of rule promulgation and January 1, 2024, for all other purposes.

Summary:

Senate Status: 02/23/23 - Senate passed with amendment 1 (004027).

House Status: 03/30/23 - House passed.

Executive Status: 04/25/23 - Enacted as Public Chapter 0173 effective April 17, 2023.

PUBLIC EMPLOYEES

SB27/HB23 Meeting agendas and documents to be made available to public 48 hours prior.

Sponsors: Sen. Gardenhire, Todd , Rep. Moon, Jerome

Summary: Requires a governing body to make available to the public upcoming meeting agendas and supplemental meeting documents in an accessible location for a minimum of 48 hours prior to a meeting. Stipulates that maintained websites are considered "accessible" locations for meeting documents but requires copies be available at the meeting and upon request. Requires public meeting agendas to be detailed regarding matters to be discussed but allows governing bodies to take action on matters not on the agenda under certain circumstances provided its bylaws or rules and procedures are in compliance with state law. Defines supplemental meeting documents and specifies that the provision does not apply to documents or parts of documents deemed confidential under state or federal law. Requires public meeting agendas and supplemental meeting documents be provided at no cost.

Amendment Senate amendment 1 (005885) rewrites this bill to require that a legislative body for a municipal, metropolitan, or county government make available to the public, at no charge and at least 48 hours prior to a meeting, the agenda for the upcoming meeting in a place accessible to the public. Publication on a legislative body's website is not required, but will satisfy this amendment's notice requirement. This amendment specifies that a local government legislative body may deliberate or act upon matters not listed on the agenda if the body follows its bylaws or rules and procedures and complies with all other applicable state laws. This amendment prohibits a local government legislative body from circumventing the spirit or requirements of this amendment's notice requirement by withholding items from an agenda for the purpose of avoiding public disclosure of business to be considered by the legislative body.

Summary:

Senate Status: 04/05/23 - Senate passed with amendment 1 (005885).

House Status: 04/10/23 - House passed.

*Executive Status:*05/02/23 - Enacted as Public Chapter 0213 effective April 25, 2023.

SB103/HB611 Clarification of compensation.

Sponsors: Sen. Gardenhire, Todd , Rep. Hawk, David

Summary: Clarifies that employees of state governmental entities who are compensated through funding sources other than this state are subject to the Tennessee State Employees Uniform Nepotism Policy Act of 1980. Creates criminal and civil penalties for a state employee who violates the Act. Authorizes the attorney general and reporter to investigate violations of the Act.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/06/23 - House passed.

*Executive Status:*03/27/23 - Enacted as Public Chapter 0050 effective July 1, 2023.

SB533/HB1151 State employee sick leave granted to care for sick child.

Sponsors: Sen. Haile, Ferrell , Rep. White, Mark

Summary: Authorizes the grant of sick leave from a sick leave bank to a state employee to care for a sick child of the employee.

Amendment Summary: Senate amendment 1 (004707) clarifies that sick leave may be granted under this bill to a member on account of an illness of the member's child if the child is a minor child.

Senate Status: 03/13/23 - Senate passed with amendment 1 (004707).

House Status: 03/23/23 - House passed.

*Executive Status:*04/17/23 - Enacted as Public Chapter 0151 effective July 1, 2023.

SB654/HB554 Designation of assistant district attorneys as lead prosecutors in cases involving crimes against children.

Sponsors: Sen. Jackson, Ed , Rep. Littleton, Mary

Summary: Requires district attorneys general to designate one assistant district attorney general as the lead prosecutor in cases involving crimes committed against children. Requires TBI to provide annual training to assistant district attorneys designated as lead prosecutors in crimes committed against children. Requires the training course to emphasize the dynamics of investigating crimes committed against children, appropriate investigative and communication techniques for crimes committed against children, and protection of victims.

Amendment Summary: House amendment 1 (005044) makes the following changes to this bill: (1) Adds that the annual training provided by the TBI is to be implemented in conjunction with the Tennessee district attorneys general conference and other relevant parties at the request of the district attorneys general conference; and (2) Requires district attorneys general to designate an assistant district attorney general, or other staff members as may be appropriate, to attend annual training on the investigation of crimes against children, which does not have to be the person designated as the lead prosecutor under this bill.

Senate Status: 04/03/23 - Senate passed.

House Status: 03/20/23 - House passed with amendment 1 (005044).

*Executive Status:*05/02/23 - Enacted as Public Chapter 0237 effective July 1, 2023.

SB856/HB976 James 'Dustin' Samples Act.

Sponsors: Sen. Bailey, Paul , Rep. Garrett, Johnny

Summary: Enacts the "James 'Dustin' Samples Act." This bill creates the legal presumption that an injury was incurred in the line of duty if a firefighter is diagnosed with post-traumatic stress disorder by a mental health professional as a result of responding to one or more incidents with at least one of the following determining factors: (1) Directly witnessing the death of a minor, or treating the injury of a minor, who subsequently died before or upon arrival at a hospital emergency department; (2) Directly witnessing an individual whose death involved a serious bodily injury of a nature that shocks the conscience; (3) Responding to an event where there was a victim with a serious bodily injury that shocks the conscience; or (4) Responding to an event where a responder, co-worker of a responder, or family member of a responder sustained a serious bodily injury or died. Under this presumption, the injury is compensable under the Workers' Compensation Law unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by non-service-connected risk factors or non-service-connected exposure. This bill applies to a firefighter who is diagnosed with post-traumatic stress disorder within one year of the firefighter's final date of employment with the employer fire department. However, a mental condition resulting solely from disciplinary action, work evaluation, job transfer, layoff, demotion, termination, or similar action taken in good faith by the employer is not considered an injury sustained in the line of duty under this bill. Requires the department of commerce and insurance to do the following: (1) Establish and administer a grant program to mitigate the costs to an employer of providing workers' compensation for firefighters diagnosed with post-traumatic stress disorder by a mental health professional; (2) Utilize existing staff to assist in the implementation of the program and provide grant funding from whatever funding sources are available; (3) Administer the program pursuant to policies developed by the department, which must provide for the awarding of grants to employers who apply for a grant and develop curricula for mental health awareness training for personnel, which may be developed in conjunction with another employer or entity; and (4) Grant a firefighter who receives mental health awareness training in accordance with this bill appropriate continuing education credits. Authorizes the department of commerce and insurance to promulgate rules to effectuate this bill.

Amendment Summary: Senate amendment 1 (004251) enacts the James "Dustin" Samples Act (Act) which creates a presumption that a firefighter diagnosed with post-traumatic stress disorder (PTSD) by a mental health professional as a result of responding to one or more incidents with specific factors was injured in the line of duty and such is compensable under workers' compensation. Limits application of the presumption to a firefighter who is diagnosed with PTSD within one year of the firefighter's final date of employment with the employing fire department. Requires the Department of Labor and Workforce Development (DLWD) to establish and administer a grant program to mitigate the costs to an employer providing workers' compensation for firefighters diagnosed with PTSD. Authorizes grants to be funded through any available sources, including state and federal funds. Employers must develop and implement a mental health awareness training program under certain parameters to qualify for the grant program. Requires the State Fire Marshal's Office to verify employers that apply for the grants under this Act. Requires the DLWD to provide on or before February 1 each year a report that includes an analysis of the number of claims brought forward, the portion of those claims that resulted in a settlement or award of benefits, the effect of this Act on costs to this state and its political subdivisions, and the balance of funds available for future claims. Requires the report to be provided to the Chairs of the State and Local Government Committee of the Senate and the Local Government Committee of the House of Representatives. Repeals the grant program on December 31, 2028. The proposed legislation will become effective January 1, 2024, except for the purposes of promulgating rules which take effect upon becoming law.

Senate Status: 04/21/23 - Senate passed with amendment 1 (004251).

House Status: 04/21/23 - House passed.

Executive Status: 05/23/23 - Enacted as Public Chapter 0465 effective May 17, 2023.

SB1086/HB1036 New public employees to sign acknowledgment on understanding of duties and obligations regarding TCRS.

Sponsors: Sen. Walley, Page , Rep. Shaw, Johnny

Summary: Authorizes public employers to require a new employee to sign a certification acknowledging the employee's understanding of the employee's duties and obligations in connection with the retirement system.

Amendment Summary: Senate amendment 2 (003505) rewrites this bill and provides that, for the purposes of regulating multiple memberships in public retirement systems, a public employee retirement system does not include a defined benefit pension plan established and maintained by a local government employer that is supplemental to the employer's participation in the Tennessee consolidated retirement system (TCRS), and was established prior to the effective date of this bill, where the total combined employer and employee contributions do not exceed 7 percent of the employee's salary, and the supplemental benefits are subject to the statutory limitations. At the request of TCRS, the local government must conduct a periodic audit using an auditing or accounting firm to demonstrate compliance with any applicable state or federal limitations, regulation, or ruling with the cost of the audit to be paid by the local government. Present law provides that the provisions governing mandatory membership in retirement systems as a condition of employment do not apply to retired members of the retirement system or of a superseded system who return to service in enumerated positions covered by the retirement system. This amendment removes the provision above and provides, instead, that the regulatory provisions regarding mandatory membership do not apply to retired members of the retirement system nor to retired members of a superseded system who return to service in a position covered by the retirement system that does not allow the retired member to accrue additional retirement benefits.

Senate Status: 03/20/23 - Senate passed with amendment 2 (003505).

House Status: 04/21/23 - House passed.

PUBLIC FINANCE

SB280/HB328 Biennial reports from designated state agencies regarding federal financial assistance.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes biennial reports from designated state agencies regarding federal financial assistance to be filed electronically with the general assembly. Broadly captioned. Part of Administration Package.

Amendment House amendment 1 (006794) enacts the Tennessee Local Development Authority Public Safety Protection Act of 2023 (Act),

Summary: which authorizes the Tennessee Local Development Authority (Authority) to issue its revenue bonds and make the bond proceeds or state appropriations available for loans to counties or volunteer fire departments for the purchase of equipment for public safety officers.

Senate Status: 04/21/23 - Senate passed.

House Status: 04/20/23 - House passed with amendment 1 (006794).

*Executive Status:*05/15/23 - Enacted as Public Chapter 0378 effective May 11, 2023.

SB1532/HB1545 Appropriations - FY beginning July 1, 2022, and July 1, 2023.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Makes appropriations for the fiscal years beginning July 1, 2022, and July 1, 2023.

Amendment House amendment 2 (006000) is the administration amendment to the appropriations bill. House amendment 3 (007000) is the

Summary: legislative amendment to the appropriations bill. House amendment 8 (007919) make a technical correction by deleting the language "Administrative Office of the Courts" in Section 60, Item 34, and substituting instead the language "Commission on Children and Youth." House amendment 10 (007941) deletes in Section 54, Item 1, line item 33, the language "Court System – 32nd Judicial District Salaries" and substituting instead the language "District Attorneys General Conference – 32nd Judicial District Salaries."

Senate Status: 04/20/23 - Senate passed.

House Status: 04/19/23 - House passed with amendment 2 (006000), amendment 3 (007000), amendment 8 (007919), and amendment 10 (007941).

*Executive Status:*05/17/23 - Enacted as Public Chapter 0418 effective July 1, 2023 (125 pages).

SB1533/HB1543 Increases employer match for state 401(k) plan.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Increases, for FY 23-24, the state employer match to 200 percent of the amount contributed by each state employee to the state's 401(k) plan per month, up to a maximum of \$100 per month. Broadly captioned.

Amendment House amendment 1 (005261) establishes that for FY23-24, the state employer 401(k) match equals 100 percent of the amount

Summary: contributed by each state employee to the plan per month, up to a maximum of \$100 per month. In subsequent fiscal years, such employer match reverts to 100 percent, up to a maximum of \$50 per month.

Senate Status: 04/20/23 - Senate passed.

House Status: 04/19/23 - House passed with amendment 1 (005261).

*Executive Status:*05/17/23 - Enacted as Public Chapter 0420 effective May 11, 2023.

SB1534/HB1544 Index of appropriations.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes the index of appropriations from state tax revenues for 2022-2023 fiscal year to exceed the index of estimated growth in the state's economy by \$2,536,600,000 or 11.45 percent.

Senate Status: 04/20/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*05/17/23 - Enacted as Public Chapter 0419 effective May 11, 2023.

SB1535/HB1542 Bond issuance.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Authorizes the state to issue and sell bonds of up to \$83,800,000.

Senate Status: 04/20/23 - Senate passed.

House Status: 04/19/23 - House passed.

*Executive Status:*05/17/23 - Enacted as Public Chapter 0421 effective May 11, 2023.

TRANSPORTATION GENERAL

SB520/HB766 Rules for standardization of traffic-control signals.

Sponsors: Sen. Niceley, Frank , Rep. Holsclaw, Jr., John

Summary: Requires the department to promulgate rules to standardize, by speed limit, the length of time a traffic-control signal must display the yellow signal light, when following the green signal light. Requires traffic-control signals to be in compliance with the standardized display times.

Amendment Summary: House amendment 1 (006033) rewrites this bill to provide the following: (1) That, whenever in this state three-light traffic-control signals are used displaying successively green, yellow, and red lights for the direction of motorists and pedestrians, the duration of the yellow plus all red change interval must be determined using engineering practices as identified in the Manual on Uniform Traffic Control Devices (MUTCD), as adopted by the department of transportation, and the minimum time exposure of the yellow light must be three seconds; (2) That a state agency or political subdivision that installs, owns, operates, or maintains any such traffic-control signal light must set or cause to be set the timing-control device for the signal light in compliance with this bill and the MUTCD, as adopted by the department of transportation; and (3) That a state agency or political subdivision that installs, owns, operates, or maintains a traffic-control signal light in an intersection that employs a surveillance camera for the enforcement or monitoring of traffic violations must not reduce the time exposure of the yellow light at the intersection with the intended purpose of increasing the number of traffic violations.

Senate Status: 04/18/23 - Senate passed.

House Status: 04/17/23 - House passed with amendment 1 (006033).

Executive Status: 05/15/23 - Enacted as Public Chapter 0388 effective May 11, 2023.

TRANSPORTATION VEHICLES

SB257/HB76 Eliminates the disabled license plate fee for eligible parents or guardians.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Exempts the disabled license plate fees for a parent or guardian of an individual that is permanently confined to a wheelchair and does not own or operate a vehicle. Part of Administration Package.

Senate Status: 02/27/23 - Senate passed.

House Status: 03/06/23 - House passed.

Executive Status: 03/27/23 - Enacted as Public Chapter 0052 effective January 1, 2024.

SB894/HB929 Minors in DCS custody or foster care exempt from driver's license fees.

Sponsors: Sen. Akbari, Raumesh , Rep. McKenzie, Sam

Summary: Exempts a person under 18 years of age who is in custody of the department of children's services or receiving foster care services from payment of fees for issuance, renewal, or reinstatement of a driver license, instruction permit, intermediate driver license, or photo identification card.

Amendment Summary: Senate amendment 1 (004278) revises this bill to only apply the exemption to a person under the age of 18 who is in the custody of the department of children's services. This amendment also changes the effective date of this bill from July 1, 2023, to January 1, 2024.

Senate Status: 03/02/23 - Senate passed with amendment 1 (004278).

House Status: 04/20/23 - House passed.

Executive Status: 05/23/23 - Enacted as Public Chapter 0468 effective January 1, 2024.

SB1281/HB818 Failure to stop upon approaching a youth bus stopped to receive or discharge passengers.

Sponsors: Sen. Taylor, Brent , Rep. Whitson, Sam

Summary: Decreases, from 15 to 14, the number of passengers that a youth bus must be designed to carry in order for a driver of another vehicle to be charged with a Class C misdemeanor for the failure to stop upon approaching the bus when stopped to receive or discharge students.

*Amendment**Summary:*

Senate amendment 1 (004548) rewrites this bill to revise present law provisions relative to school buses, as described below. Present law provides that: (1) A local education agency (LEA) is authorized to purchase, install, operate, and maintain cameras on the exterior of school buses, or to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses on behalf of the LEA, for the purpose of recording images of motor vehicles that are in violation of the offense for failing to stop upon approaching a school bus; (2) An LEA that installs cameras on the exterior of school buses is required to enter into a memorandum of understanding with local law enforcement for the preservation of evidence from a camera, and that only POST-certified or state-commissioned law enforcement officers are authorized to review evidence from a camera to determine whether a violation has occurred; (3) (A) A first violation of the offense for failing to stop upon approaching a school bus that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is considered a nonmoving traffic violation. (B) The registered owner of the motor vehicle is responsible for payment of any notice of violation or citation of \$200 for a first offense citation issued as the result of evidence from a camera. However, the owner is not responsible for the violation if the owner submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; and (C) A second or subsequent violation that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is a Class A misdemeanor. However, the state must meet the burden of proof set out in general provisions of present criminal law, and the person charged has no burden to prove innocence. (4) Notices of violations or citations must be sent in accordance with provisions governing citations based on unmanned traffic cameras to the registered owner of the vehicle that was captured by the camera. (5) A citation based solely upon evidence obtained from a camera that has been installed on the exterior of a school bus is invalid if the registration information of the motor vehicle for which the citation is issued is not consistent with the evidence recorded by the camera; (6) The notice of violation or citation must state the date, location, and time of the alleged violation; the amount of the fine being assessed; and the means by which the owner may elect to shift responsibility for the payment of the citation to the operator of the vehicle at the time of the alleged violation pursuant to this (6); (7) 100 percent of the proceeds from any fine that is based solely upon evidence obtained from a school bus camera must be allocated to the LEA without being designated for any particular purpose; (8) The LEA is authorized to use the proceeds for the purpose of defraying the costs of purchasing, installing, operating, or maintaining the camera, or reimbursing or compensating the vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera; and (9) If the LEA uses the proceeds for the purpose of reimbursing or compensating a vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, then the LEA must create procedures for such reimbursement or compensation and must maintain records of such reimbursement or compensation. This amendment makes the following changes to (1)-(9) above: (1) Revises (1) to clarify that an LEA is authorized to enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses, whether owned, contracted, or leased by the LEA, and provide other services related to violations of the offense for failing to stop upon approaching a school bus, on behalf of the LEA; (2) Revises (2) to, instead, require such LEA to enter into a memorandum of understanding with local law enforcement that includes, but is not limited to, the review of evidence from a camera and overall enforcement, and to clarify that school resource officers are also authorized to review evidence from a camera; (3) Revises (3) as follows: (A) Adds that in lieu of prosecution for failing to comply with the provision requiring a motor vehicle to stop upon approaching a school bus, where evidence of the offense is based solely from a camera that has been installed on the exterior of a school bus, a person may be issued a notice of violation or citation. However, this does not preclude the state from prosecuting the offense if the state meets its burden of proof; (B) Revises (B) to, instead, provide that the fine for a first notice of violation or citation under (3) is \$250, and the fine for a second or subsequent notice of violation or citation is \$500; and (C) Removes (C); (4) Adds the following provisions to (4): (A) Photographs or video produced by a camera that has been installed on the exterior of a school bus are prima facie evidence that the vehicle described in the citation was operated in violation of the law; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus, together with proof that the defendant was the registered owner of the vehicle at the time of the violation, create an inference that the owner of the vehicle was the driver of the vehicle at the time of the alleged violation. However, the inference may be rebutted if the owner of the vehicle submits documentation in accordance with provisions governing citations based on unmanned traffic cameras; (5) Adds to (6) that the notice of violation or citation must also include information detailing the process for contesting the citation, including the applicable court having jurisdiction; and (6) Adds to (1)-(9) that: (A) For a violation of the offense for failing to stop upon approaching a school bus, there is a presumption that the photographs or video produced by a camera that has been installed on the exterior of a school bus provide evidence that the school bus was stopped for the purpose of receiving or discharging school children; and (B) Photographs or video produced by a camera that has been installed on the exterior of a school bus depicting such violation must be made available for inspection in any proceeding in which the citation or violation is being contested. Present law provides that it is a Class A misdemeanor, punishable only by a fine of at least \$250 and at most \$1,000, for any person to fail to comply with the provision requiring a motor vehicle to stop upon approaching a school bus. This amendment provides an exception to this provision stating that a second or subsequent violation is punishable only by a fine of at least \$500 and at most \$1,000. This amendment additionally provides that a person who violates the provision requiring a motor vehicle to stop upon approaching a school bus and strikes another person with a vehicle commits a Class E felony. However, the person commits a Class C felony if the striking results in the death of the other person.

Senate Status: 03/16/23 - Senate passed with amendment 1 (004548).

House Status: 03/30/23 - House passed.

Executive Status: 04/25/23 - Enacted as Public Chapter 0179 effective July 1, 2023.

SB1437/HB1101 Operation of motorcycles by minors.

Sponsors: Sen. Roberts, Kerry , Rep. Littleton, Mary

Summary: Authorizes a minor issued a motorcycle learner's permit to operate a motorcycle without limitations on the distance from the minor's home if the minor is accompanied by, and under the direct supervision of, a parent or legal guardian who is also operating a motorcycle and who holds a valid motorcycle operator's license.

Amendment Summary: Senate amendment 1 (004755) makes the following changes to this bill: (1) Limits the application of the authority granted in this bill to a minor issued a motorcycle learner's permit and who has completed a certified motorcycle education course approved by the department; and (2) Changes the effective date from July 1, 2023, to January 1, 2024.

Senate Status: 03/30/23 - Senate passed with amendment 1 (004755).

House Status: 03/30/23 - House passed.

Executive Status: 04/25/23 - Enacted as Public Chapter 0180 effective April 17, 2023.

WELFARE

SB246/HB64 Distribution of TANF funds.

Sponsors: Sen. Johnson, Jack , Rep. Lamberth, William

Summary: Increases, from three to four years, the length of pilot programs for which TANF program funds must be dedicated. Increases from 12 to 18 months, the length of time following the end of each federal fiscal year by which the department must spend all unobligated TANF program funds. Part of Administration Package.

Senate Status: 02/23/23 - Senate passed.

House Status: 03/06/23 - House passed.

Executive Status: 03/27/23 - Enacted as Public Chapter 0051 effective March 21, 2023.

SB1038/HB1365 Revisions to background check provisions for certain state government and childcare agency employees.

Sponsors: Sen. Stevens, John , Rep. Farmer, Andrew

Summary: Revises provisions relating to background checks for persons considered for appointment to or employment in various positions in state government and for administrators and employees of child care agencies.

Amendment Summary: Senate amendment 1 (006156) revises and clarifies procedures related to criminal history background checks for certain individuals under consideration for positions of trust and responsibility in state government. Clarifies the procedures related to criminal history background checks for those seeking to operate or be employed by a licensed childcare agency. Requires a criminal history background check be conducted on individuals applying or being considered for the following positions: 1) a commissioner of a department of the executive branch; (2) a general counsel position at a department of the executive branch; (3) a pilot employed by the Tennessee Department of Transportation; and (4) law enforcement personnel entrusted with the protection of the Governor. Deletes the requirement for any paid or volunteer member or applicant of a fire department or fire prevention bureau or division to agree to the release of information and investigative records to the employer, or to any agency that contracts with the state, for the purpose of verifying whether the individual has been convicted of a felony or any theft or arson-related conviction.

Senate Status: 04/17/23 - Senate passed with amendment 1 (006156).

House Status: 04/20/23 - House passed.

Executive Status: 05/17/23 - Enacted as Public Chapter 0433 effective May 11, 2023.